

# Public Document Pack



To: All Members of the Council

Town House,  
ABERDEEN, 15 February 2023

## **COUNCIL**

The Members of the **COUNCIL** are requested to meet in Council Chamber - Town House on **WEDNESDAY, 22 FEBRUARY 2023 at 10.30am**. This is a hybrid meeting, therefore Members may also take part remotely.

JENNI LAWSON  
INTERIM CHIEF OFFICER - GOVERNANCE

## **BUSINESS**

### **ADMISSION OF BURGESSES**

- 1.1 No Burgesses to be admitted

### **NOTIFICATION OF URGENT BUSINESS**

- 2.1 No urgent business at this time

### **DETERMINATION OF EXEMPT BUSINESS**

- 3.1 Members are requested to determine that the exempt business be considered with the press and public excluded

### **DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS**

- 4.1 Members are requested to declare any interests or connections

## **DEPUTATIONS**

5.1 No deputations at this time

## **MINUTES OF PREVIOUS MEETINGS OF COUNCIL**

6.1 Minute of Meeting of Aberdeen City Council of 14 December 2022 - for approval (Pages 5 - 32)

6.2 Minute of Special Meeting of Aberdeen City Council of 11 January 2023 - for approval (Pages 33 - 36)

## **REFERRALS FROM COMMITTEES**

7.1 No referrals at this time

## **BUSINESS PLANNER AND OTHER MINUTES**

8.1 Council Business Planner (Pages 37 - 44)

## **GENERAL BUSINESS**

9.1 Licensing Board Vacancy - COM/23/053 (Pages 45 - 48)

9.2 Convener of Audit, Risk and Scrutiny Committee - COM/23/056 (Pages 49 - 52)

9.3 Climate Change (Place) Governance Proposals - COM/23/054 (Pages 53 - 66)

9.4 Work Plan & Business Cases - Revenue - COM/23/055 (Pages 67 - 72)

9.5 Treasury Management Policy - RES/23/048 (Pages 73 - 98)

9.6 Aberdeen City Integration Scheme - ACHSCP/23/057 (Pages 99 - 184)

## **NOTICES OF MOTION**

10.1 Notice of Motion by Councillor Crockett (Pages 185 - 186)

10.2 Notice of Motion by Councillor Crockett (Pages 187 - 188)

10.3 Notice of Motion by Councillor Houghton (Pages 189 - 190)

10.4 Notice of Motion by Councillor Kuszniir (Pages 191 - 192)

10.5 Notice of Motion by Councillor Radley (Pages 193 - 194)

10.6 Notice of Motion by Councillor Yuill (Pages 195 - 196)

**EXEMPT/CONFIDENTIAL BUSINESS**

11.1 Workplan & Business Cases - Revenue - COM/23/055 - exempt appendices  
(Pages 197 - 212)

Website Address: [www.aberdeency.gov.uk](http://www.aberdeency.gov.uk)

Should you require any further information about this agenda, please contact Martyn Orchard - [morchard@aberdeency.gov.uk](mailto:morchard@aberdeency.gov.uk)

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## ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 14 December 2022

### MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;  
Depute Provost Steve Delaney; and

#### COUNCILLORS

GILLIAN AL-SAMARAI  
NURUL HOQUE ALI  
CHRISTIAN ALLARD  
ALISON ALPHONSE  
KATE BLAKE  
JENNIFER BONSELL  
MARIE BOULTON  
DESMOND BOUSE  
RICHARD BROOKS  
HAZEL CAMERON  
DONNA CLARK  
JOHN COOKE  
NEIL COPLAND  
WILLIAM CORMIE  
BARNEY CROCKETT  
SARAH CROSS  
DEREK DAVIDSON  
LEE FAIRFULL  
EMMA FARQUHAR  
GORDON GRAHAM  
ROSS GRANT  
MARTIN GREIG

DELL HENRICKSON  
RYAN HOUGHTON  
MICHAEL HUTCHISON  
MICHAEL KUSZNIR  
SANDRA MACDONALD  
NEIL MacGREGOR  
M. TAUQEER MALIK  
ALEXANDER McLELLAN  
KEN McLEOD  
CIARAN McRAE  
DUNCAN MASSEY  
JESSICA MENNIE  
ALEX NICOLL  
MIRANDA RADLEY  
JENNIFER STEWART  
KAIRIN VAN SWEEDEN  
LYNN THOMSON  
DEENA TISSERA  
SIMON WATSON  
and  
IAN YUILL

Lord Provost David Cameron, in the Chair.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

Council Meeting, Wednesday, 14 December 2022

## **ANNOUNCEMENTS**

1. (A) The Lord Provost reminded members of the requirement to stand when speaking at Full Council unless they had been given permission to remain seated. He explained that if any members had difficulty in standing, they should let him know and he would be happy to give them permission to remain seated.

(B) The Lord Provost also reminded members that the taking of photographs in the Chamber was prohibited, particularly in terms of mobile phones.

(C) The Lord Provost led tributes to Avril MacKenzie who very sadly passed away on 1 December whilst a serving Councillor. The Lord Provost recalled meeting Avril in May 2017 when she had been elected for the first time and emphasised that he had always found her to be a very nice person to be around with a very pleasant and quiet demeanour.

Councillor Houghton thanked the Lord Provost for his kind sentiments and underlined that Avril had a rare set of qualities - she was kind, sincere and very generous with her time; she rarely put herself first. He explained that he first met Avril in 2016 when he was considering entering politics, and when she was elected in 2017 it was one of the proudest days of her life, she loved being a Councillor. He reminded members that the funeral was on 20 December, that all were welcome and added that his thoughts were with Avril's brother and mother at this very sad time.

Councillors Al-Samarai, Greig, Crockett, Boulton and Stewart each paid their own personal tributes, recollecting many conversations and time spent with Avril and expressed their condolences to her family.

(D) The Lord Provost advised that the City Chaplain Ron Flett was retiring and that he would be greatly missed. The Lord Provost highlighted the excellent work Ron had done over many years but particularly during the pandemic in terms of people's mental health, and stated that he had always enjoyed chatting with him. He wished Ron a very happy retirement on behalf of the Council.

(E) The Lord Provost highlighted that Cove Rangers Football Club were celebrating their centenary year and congratulated them on the achievement. The Lord Provost summarised their many successes from starting in the amateur leagues, to joining the junior ranks and then the Highland League in 1986, before gaining promotion to the Scottish Professional Football League in 2019, where they had been promoted twice and currently played in the Scottish Championship. The Lord Provost wished them every success in the future.

### **The Council resolved:-**

to concur with the remarks of the Lord Provost and the various members.

Council Meeting, Wednesday, 14 December 2022

## **ADMISSION OF BURGESSES**

2. The persons undermentioned were admitted into the presence of the Council and passed as Burgesses of Guild in respect of their respective Acts of Admission in the Guild Burgess Book:-

John Booth, Senior Executive, Aberdeen  
Fiona Clark, Retired Local Authority Librarian, Aberdeen

## **NOTIFICATION OF URGENT BUSINESS**

3. The Lord Provost advised that he had accepted two late reports (Articles 33 and 34 of this minute refer) onto the agenda as matters of urgency in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973.

## **DETERMINATION OF EXEMPT BUSINESS**

4. The Council was requested to determine that the following items of business, which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private:-

- 11.1 City Centre Update - exempt appendix
- 11.2 Work Plan and Business Cases - Revenue - exempt appendices
- 11.3 Major Event Update
- 11.4 European Pipe Band Championships

### **The Council resolved:-**

in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of items 11.1, 11.2, 11.3 and 11.4 so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 8 and 10 of Schedule 7A of the Act.

## **DECLARATION OF INTERESTS OR CONNECTIONS**

5. Councillor Hutchison advised that he had a connection in relation to agenda item 9.1 (City Centre Update) by reason of owning and living in a property within the George Street Masterplan footprint, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting for that item. Councillor Hutchison declared an interest in relation to agenda item 9.2 (George Street Mini Masterplan) for the same reason and stated that he would withdraw from the meeting for that item.

Councillor Henrickson advised that he had a connection in relation to agenda item 9.4 (Beachfront Masterplan - Short Term Intervention Update) by reason of being a very minor shareholder in Aberdeen Football Club, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

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Councillor Cooke advised that he had a connection in relation to agenda items 9.4 and 9.5 (Beachfront Masterplan) by virtue of being an observer to the Board of Sport Aberdeen, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Yuill advised that he had a connection in relation to agenda items 9.1, 9.2, 9.4 and 9.5 by reason of being a member of Cycling UK, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Watson advised that he had a connection in relation to agenda item 9.6 (Statutory Function Review) as an employee of Unison, however he had had no dealings with the matter and having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Grant declared an interest in relation to agenda items 9.3 (Vacant Units on Union Street - Action Plan) and 11.4 (European Pipe Band Championships) by reason of his employment by Aberdeen Inspired and stated that he would withdraw from the meeting for those items.

Councillor Grant advised that he had a connection in relation to agenda items 9.1, 9.2, 9.4 and 9.5 by virtue of his employment by Aberdeen Inspired, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting for those items.

Councillors Ali, Brooks, Clark, Crockett, Grant, Macdonald, McRae, Malik and Tissera each advised that they had a connection in relation to agenda item 9.6 (Statutory Function Review) by virtue of being members of UNITE the Union, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

Councillors Bonsell and Thomson advised that they had a connection in relation to agenda item 9.6 by virtue of being members of Unison, however having applied the objective test they did not consider that they had an interest and would not be withdrawing from the meeting.

The Depute Provost advised that he had a connection in relation to agenda items 9.4, 9.5 and 10.1 (Notice of Motion by the Lord Provost) by reason of three of his grandchildren doing part time work at Pittodrie football stadium, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.

Councillor Fairfull advised that she had a connection in relation to agenda item 9.4 by reason of being appointed by the Council to the Board of Transition Extreme, however having applied the objective test she did not consider that she had an interest and would not be withdrawing from the meeting.



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## DEPUTATIONS

6. (A) The Council received a deputation from Lara, a third year pupil at Oldmachar Academy, and Lily, a second year pupil at Bridge of Don Academy, who spoke in connection with the City Centre Update report.

Lara explained that they had been involved in the City Centre and Beach Masterplan project since the summer and that she liked giving her views and opinions on things. She enjoyed visiting the Art Gallery and appreciated that it was free. Lara felt that the city centre needed more shops, particularly independent ones, and more places to eat that were not just fast food. She added that young people needed somewhere to go in town to hang out and not to have to pay anything - more museums would be good, where young people could learn more about the history of Aberdeen.

Lara felt that the plans for the city centre were beautiful and very important for the future of the city. She felt that young people were being listened to and she enjoyed sharing their work at World Children's Day. She added that her involvement in the project had given her more confidence and she had made new friends. Lara hoped that young people would continue to be listened to and they would be able to go anywhere they wanted in the city centre. She concluded by requesting the Council to agree to the proposals within the report.

Lily agreed that being involved in the project had been an amazing experience and it was good that the consultation on the city centre wanted to make a difference for the city. She spoke about her own future and how she wanted to be an engineer and that it would be good to help make Aberdeen a cleaner city. Lily added that the project had also given her more confidence and she had made new friends.

Lily advised that she liked to go into town with her friends but she was unable to do so unsupervised as there were not many safe places to hang out. She felt it would be good to have a youth club in the city centre, or other places that were free where they could do activities. She added that the Christmas Village was great and she wished it could be open all year round. Lily felt it was important for the Council to listen to the views of young people and hoped that changes could be made in the city centre soon.

Members asked questions of Lara and Lily and thanked them for their deputation.

(B) The Council next received a deputation from Tibeche, a third year pupil at Dyce Academy, who spoke in connection with the Beachfront Masterplan reports.

Tibeche first spoke on behalf of Agnes, a primary seven pupil at St Peter's School, who was unable to be present. Agnes had enjoyed visiting the Beach Leisure Centre and the activities that they had done as part of the project. Agnes felt the proposed redevelopment of the beach was really good as they had taken on board their views in the drawings and models. She had enjoyed exploring the beach area as part of the project, it had been lots of fun.

Agnes hoped that in future there would be things to do for all ages at the beach. She had enjoyed participating in World Children's Day and got to have a say, as well as

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learning more about the city and making new friends - the whole experience had boosted her confidence greatly which was echoed by her Mum.

Tibeche then presented her own views - she had found the project really interesting and exciting. Her favourite exercise had been the time travelling task where they looked back at what the beach used to look like. Tibeche had enjoyed the visits to the beach and the Art Gallery and had made friends with everyone. She agreed that young people needed places to go that did not cost much, particularly in the summer. She felt that the beach needed to be improved, for example with huts on the sand and pop-up shops where local businesses could have food stalls.

Tibeche emphasised that places needed to be more friendly to young people, with more places to hang out where young people would be made to feel welcome. She was proud of her involvement in the project and it had made her life a lot more interesting and had boosted her confidence. Tibeche concluded by asking the Council to listen to the views of young people, support the proposals and make the beach a really nice and inclusive space where young people could hang out and feel safe.

Members asked questions of Tibeche and thanked her for her deputation.

(C) The Council then received a deputation from Mr Jon Barron, Chair of Grampian Cycle Partnership, who spoke in connection with items 9.1, 9.2, 9.4 and 9.5 on the agenda.

Mr Barron thanked those members who had met with him recently and emphasised that it was vitally important that the Council acted now. He added that there was a lot to like in the reports, however he took issue with the suggestion that they had truly prioritised walking, wheeling and cycling.

Mr Barron implored the Council to finally follow Scotland's National Transport Strategy by truly embedding the Sustainable Travel Hierarchy in its decision making by promoting walking, wheeling and cycling first, then public transport before all other transport options; and by working towards the Scottish Government's 2030 Vision for Active Travel by shaping Aberdeen's communities around people so that walking or cycling could become the most popular choice for shorter everyday journeys; and deliver high quality walking, cycling and wheeling networked infrastructure that was safe and available to everyone.

Mr Barron stated that it was a stark reality that Aberdeen had fallen far behind other cities in the world (he cited Paris in France and Pontevedra in Spain) and other places in Scotland (Glasgow, Edinburgh and Dundee in particular) in relation to what it provided for those travelling on foot or by bike. For example, Aberdeen's streets still did not have any permanent on-road segregation for cycling, neither was there any road space reallocation for our most vulnerable modes. He added that all of the resulting benefits that active travel brought to our physical and psychological wellbeing, to our local and wider environment and to our economy were well evidenced.

Mr Barron stated that promoting, supporting and enabling active travel had always been important but, for a variety of reasons, the times we were in the midst of made it increasingly so. He concluded by urging members to set aside their political differences,

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and finally bring about the lasting changes that other cities around the globe, and some much closer to home, had long since delivered or were working towards. He emphasised that it was lasting change that Aberdeen citizens, and those who come to visit and work, had long deserved. He pleaded with the Council to aim high, be bold, imaginative, creative and decisive, and to aim for world class.

Members asked questions of Mr Barron and thanked him for his deputation.

(D) The Council last received a deputation from Ms Rachel Martin, who spoke in connection with the City Centre Update report.

Ms Martin stated that she wanted to protect cyclists from motorised traffic on Union Street, including buses, by providing physical separation in the form of a segregated cycle track. She highlighted her own experience of cycling to the meeting today, where she was wedged between two buses on Union Street and the bus behind her was extremely close, so much so that she felt she had no option but to get off her bike and push it onto the pavement.

Ms Martin emphasised that the perception of safety was just as important, if not more so, than actual safety. She added that what the Council had planned for Union Street was not inclusive for the vast majority of people in Aberdeen - because of the perception of safety. She highlighted Scotland's recently updated Cycling by Design Guidance which emphasised that putting cyclists and buses in the same space benefitted only experienced and confident users.

Ms Martin highlighted issues such as the climate crisis, obesity crisis and pollution crisis, and stated that cycling could help to tackle all of those issues but only if more people were encouraged to take up cycling. She referred to a Sustrans survey from 2021, whereby only 4% of residents travelled by bike as their main mode of transport, however 32% said they would like to. The main issue was people felt cycling was not safe - 70% of respondents wanted physically separate cycle tracks.

Ms Martin stated that for every mile a person cycled instead of driving, the net benefit to the local economy was 94p, which equalled £19million annually. She added that for every £1 spent on cycling infrastructure, £5.50 was returned to the community in community benefit.

Ms Martin underlined that the Council was not being ambitious or creative enough, there were several options in relation to Union Street in terms of reducing the number of lanes or making it one-way. She implored the Council to consider the feedback that had been provided in the September consultation where there was an overwhelming desire for cycle infrastructure. She concluded that members should be considering designing cycling infrastructure not for more experienced cyclists like her or Mr Barron but for young people who wanted to cycle.

Members asked questions of Ms Martin and thanked her for her deputation.

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### **MINUTE OF MEETING OF ABERDEEN CITY COUNCIL OF 13 OCTOBER 2022**

7. The Council had before it the minute of meeting of Aberdeen City Council of 13 October 2022.

**The Council resolved:-**  
to approve the minute.

### **MINUTE OF MEETING OF URGENT BUSINESS COMMITTEE OF 21 OCTOBER 2022**

8. The Council had before it the minute of meeting of the Urgent Business Committee of 21 October 2022.

**The Council resolved:-**  
to approve the minute.

### **GUILDRY AND MORTIFICATION FUNDS COMMITTEE - 5 DECEMBER 2022 - GUILDRY FUNDS - REVIEW OF ALLOWANCES**

9. With reference to the minute of meeting of the Guildry and Mortification Funds Committee of 5 December 2022, the Council had before it, by way of remit, a recommendation that the allowances paid from the Guildry fund to Burgesses of Guild, widows and widowers of Burgesses and children of Burgesses be increased by 5% to be backdated from 1 May 2022.

**The Council resolved:-**  
to approve the 5% increase in annual allowances to be backdated from 1 May 2022.

### **COUNCIL BUSINESS PLANNER**

10. The Council had before it the business planner as prepared by the Interim Chief Officer - Governance.

**The Council resolved:-**

- (i) to note that the Chief Officer - City Growth would report back on item 4 (Natural History Museum - Aberdeen) in the new year;
- (ii) to note that the Chief Officer - Corporate Landlord would report back on item 5 (Wellington Road Multimodal Corridor) in the new year;
- (iii) to agree that item 8 (Performance Management Framework) be delayed until the beginning of 2023/24 following a review;
- (iv) to agree that item 28 (Scheme of Governance Review) be delayed to the Council meeting on 26 April 2023; and
- (v) to otherwise note the business planner.

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## **MINUTE OF MEETING OF CAPITAL PROGRAMME COMMITTEE OF 6 OCTOBER 2022**

11. The Council had before it the minute of meeting of the Capital Programme Committee of 6 October 2022.

### **The Council resolved:-**

to approve the minute.

**At this juncture, the Lord Provost advised that he would be taking the four Notices of Motion (items 10.1 to 10.4 on the agenda) as the next items before the general business.**

## **NOTICE OF MOTION BY LORD PROVOST DAVID CAMERON**

12. The Council had before it a notice of motion by the Lord Provost in the following terms:-

That the Council:

- (1) Agrees that this Council confers the Freedom of the City of Aberdeen on the Aberdeen Football Club team who won the European Cup Winners' Cup in 1983 and also on Aberdeen Football Club who have been in the city since 1903.
- (2) Agrees that the achievement of this team, which culminated in winning the final in Gothenburg, Sweden, in May 1983 by beating Real Madrid, was worth of recognition.
- (3) Agrees that the conferment ceremony should be planned to take place as part of the weekend celebration of the 40<sup>th</sup> Anniversary of the win from 12<sup>th</sup> to 14<sup>th</sup> May 2023 currently being organised by Aberdeen Football Club and instructs the Interim Chief Officer - Governance to make any necessary arrangements on behalf of the Council in this regard.

The Lord Provost advised that when the agenda was published, 31 members had signed the notice of motion in terms of Standing Order 12.18, however a further 6 members had since signed the notice of motion.

### **The Council resolved:-**

to approve the notice of motion.

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### **NOTICE OF MOTION BY COUNCILLOR BLAKE**

**13.** The Council had before it a notice of motion by Councillor Blake in the following terms:-

That Council:-

Notes with concern that notification of strike action has been received from four of the teacher's unions.

Agrees that young people's education has been severely impacted by the pandemic and that teachers are key to successful recovery.

Agrees that hard working teachers across Scotland have gone above and beyond as a result of the pandemic but also as a result of years of mismanagement and neglect by the Scottish Government.

Recognises that this is a national dispute which can only be resolved by SNP Ministers at Holyrood.

Calls for COSLA to press the Cabinet Secretary for Education and Skills urging them to do everything possible to avoid or minimise industrial action and its impact upon our children, young people, parents and guardians.

Instructs the Chief Executive to formally write to the Cabinet Secretary for Education and Skills noting the Council's concerns for the education of our children and young people if the Scottish Government cannot reach a settlement in this dispute and to urgently produce a fair deal for teachers.

#### **The Council resolved:-**

to refer the notice of motion to the Finance and Resources Committee.

### **NOTICE OF MOTION BY COUNCILLOR HOUGHTON**

**14.** The Council had before it a notice of motion by Councillor Houghton in the following terms:-

That Council:-

1. Notes the summit held on 9 November 2022 concerning the future of Aberdeen City Centre.
2. Notes the unanimous decision of the Finance, Policy and Resources Committee in June 2017 to set aside up to £4.2million to be utilised for a non-domestic rates local transition scheme.
3. Agrees the damaging effect of Scottish Government controlled Non-Domestic Rates has had as another decisive factor in the deterioration of the high street despite temporary mitigation measures.

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4. Notes that only legislation by the Scottish Parliament will structurally change the scheme of Non-Domestic Rates in Scotland and that the Council lacks the powers to change the rates for businesses.
5. Agrees that the power to provide business rate relief already lies with the Council.
6. Therefore instructs the Chief Officer - City Growth, following consultation with the Chief Officer - Customer Experience and Chief Officer - Finance, to report to the next Council meeting providing details on a range of options and costings for a 'business rates exemption zone' within the city centre.

**The Council resolved:-**

to refer the notice of motion to the budget process.

**NOTICE OF MOTION BY COUNCILLOR KUSZNIR**

15. The Council had before it a notice of motion by Councillor Kuznir in the following terms:-

That the Council:-

1. Congratulates all involved with the Royal Scottish National Orchestra and Big Noise Torry's 'side-by-side' concert at the Music Hall on 13 October 2022 where they performed Danzón No2 by popular Mexican composer Arturo Márquez, conducted by Christian Reif;
2. Notes that Big Noise Torry launched in July 2015 and was Sistema Scotland's third orchestra centre;
3. Understands Big Noise Torry uses the symphony orchestra as a community through which local children gain valuable life skills and experiences, such as developing confidence and teamwork; and
4. Applauds this impressive event, and the amazing work that Big Noise Torry continues to do to support young people and their families.

**The Council resolved:-**

to approve the notice of motion.

**CITY CENTRE UPDATE - RES/22/290**

16. With reference to Article 2 of the minute of its meeting of 25 August 2022, the Council had before it a report by the Director of Resources which provided updates on a number of projects in the city centre.

**The report recommended:-**

that the Council -

**Streetscape Programme**

- (a) agree the Streetscape Full Business Case (Appendix B) and instruct the Director of Resources, following consultation with the Chief Officer - Commercial & Procurement and Chief Officer - Capital, to proceed with the negotiation and execution of contracts for delivery of the following programmes in the first

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- instance and to report progress to the Finance and Resources Committee on a 6 monthly basis from the date of this report:
- a) Union Street Central
  - b) Market Streetscape Phase 1
  - c) Schoolhill/Upperkirkgate;
- (b) instruct the Director of Resources to progress with developing the remaining streetscape programmes and bring forward for Council consideration and approval an update to the Full Business Case in (a) above following conclusion of design, planning and consultation stages on the below programmes by December 2023:
- a) Union Street East & Castlegate and Justice Street
  - b) Union Street West & West End
  - c) Market Streetscape Phases 2 and 3;
- (c) note the instruction from the October 2020 City Growth and Resources Committee that the Chief Officer - Strategic Place Planning develop the Outline Business Case for the A944/A9119 Multimodal Corridor Study Medium/High Delivery Package (which included proposals for improved cycle infrastructure between Westhill and Aberdeen City Centre) and instruct the Chief Officer - Strategic Place Planning to report back the Outline Business Case for the A9119 cycle route (Carden Place (including Queens Cross Roundabout), Skene Street and Rosemount Viaduct), currently being progressed via the Bus Partnership Fund, by December 2023, in order to provide an active travel link from the West End into the heart of the City Centre;
- (d) instruct the Chief Officer - Capital not to proceed with a traffic signal-controlled junction at the Broad Street/Upperkirkgate/Gallowgate Junction, in view of the impending changes within the proposed City Centre Masterplan;
- (e) instruct the Chief Officer - Capital following consultation with the Chief Officer - Strategic Place Planning to consult with stakeholders and funders to review current safety concerns with a view to making a recommendation to help mitigate any concerns in the context of the City Centre Masterplan;
- (f) approve the allocation of additional revenue funds to the Roads maintenance budget of £16,700 from 2024/25 onwards, which was required to maintain the infrastructure change as detailed in paragraph 4.1 of the report;
- Building Conditions/ Occupancy**
- (g) note the update on Union Street Building Condition Implementation Plan Pilot Project and instruct the Director of Resources to report progress to Council in June 2023;
- (h) note the content of the Strategic Outline Case Upper Floor use options at 101-103 Union Street (Appendix G) and instruct the Chief Officer - Corporate Landlord to continue to review and report back by August 2023;
- Aberdeen Market**
- (i) note the business case for Aberdeen Market (Appendix C) and instruct the Director of Resources following consultation with the Chief Officer - Corporate Landlord to proceed with the negotiation and execution of contracts for delivery and report progress back to Council on a 6 monthly basis from the date of this report; and
- Queen Street**
- (j) agree the Strategic Outline Case for Queen Street and instruct the Director of Resources to progress the short-listed options into an Outline Business Case



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which would identify a preferred option and report back to Council in August 2023.

Councillor Boulton advised that she was intending to move the following amendment, however Standing Orders required to be suspended as it would require a previous decision to be altered within six months of it having been taken.

That the Council -

- (a) approve recommendations (a) to (h) contained within the report;
- (b) note the business case for Aberdeen Market in Appendix C and instruct the Director of Resources in conjunction with the Chief Officer - Corporate Landlord and Chief Officer - City Growth to explore further opportunities for creative industries to have a significant footprint for both creating and selling in the Aberdeen Market. Ensure local food producers, independent traders (retail and hospitality) occupy other units. Explore all options for the outdoor market space from traditional fresh food markets, antique and vintage markets and performance, and report back to the next Full Council meeting. Taking inspiration from Borough Market, London, Old Spitalfield Market, Covent Garden, Islington Mill Salford;
- (c) to approve option 5 in relation to recommendation (j);
- (d) to defer the implementation of the bus gates on Bridge Street and Market Street to 1 March 2023;
- (e) to not progress with prohibition of a right hand turn from Union Terrace onto Rosemount Viaduct for general traffic as identified at section 4.3 of the report; and
- (f) to take measures to mitigate the cycle lane on Carden Place in protecting the business and residents' amenity and income.

Councillor Boulton moved as a procedural motion, seconded by Councillor Stewart:-

That Standing Order 42.1 be suspended to enable the amendment to be formally moved.

On a division, there voted:-

For the procedural motion (9) - Councillors Boulton, Brooks, Cross, Farquhar, Houghton, Kuszniir, McLeod, Massey and Stewart.

Against the procedural motion (35) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Ali, Allard, Alphonse, Blake, Bonsell, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Crockett, Davidson, Fairfull, Graham, Grant, Greig, Henrickson, Hutchison, Macdonald, MacGregor, McLellan, McRae, Malik, Mennie, Nicoll, Radley, van Sweeden, Thomson, Tissera, Watson and Yuill.

**The Council resolved:-**

to reject the procedural motion.

**The Council further resolved:-**

**Streetscape Programme**

- (i) to agree the Streetscape Full Business Case (Appendix B) and instruct the Director of Resources, following consultation with the Chief Officer - Commercial

## Council Meeting, Wednesday, 14 December 2022

- & Procurement and Chief Officer - Capital, to proceed with the negotiation and execution of contracts for delivery of the following programmes in the first instance and to report progress to the Finance and Resources Committee on a 6 monthly basis from the date of this report:
- a) Union Street Central
  - b) Market Streetscape Phase 1
  - c) Schoolhill/Upperkirkgate;
- (ii) to instruct the Director of Resources to progress with developing the remaining streetscape programmes, including options for the provision of physically segregated cycle tracks/lanes, and bring forward for Council consideration and approval an update to the Full Business Case in (i) above following conclusion of design, planning and consultation stages on the below programmes by December 2023:
- a) Union Street East and Castlegate and Justice Street
  - b) Union Street West and West End
  - c) Market Streetscape Phases 2 and 3
- Further design work to be funded from the City Centre and Beach Masterplan budget;
- (iii) to note the instruction from the October 2020 City Growth and Resources Committee that the Chief Officer - Strategic Place Planning develop the Outline Business Case for the A944/A9119 Multimodal Corridor Study Medium/High Delivery Package (which includes proposals for improved cycle infrastructure between Westhill and Aberdeen City Centre) and instruct the Chief Officer - Strategic Place Planning to report back the Outline Business Case for the A9119 cycle route (Carden Place (including Queens Cross Roundabout), Skene Street and Rosemount Viaduct), currently being progressed via the Bus Partnership Fund, by December 2023, in order to provide an active travel link from the West End into the heart of the City Centre;
- (iv) to instruct the Chief Officer - Capital not to proceed with a traffic signal-controlled junction at the Broad Street/Upperkirkgate/Gallowgate Junction, in view of the impending changes within the proposed City Centre Masterplan, and instruct the Chief Officer - Operations and Protective Services to report back to Council on the implications of closing permanently the section of Broad Street between Queen Street and Upperkirkgate to all vehicles;
- (v) to instruct the Chief Officer - Capital following consultation with the Chief Officer - Strategic Place Planning to consult with stakeholders and funders to review current safety concerns with a view to making a recommendation to help mitigate any concerns in the context of the City Centre Masterplan;
- (vi) to approve the allocation of additional revenue funds to the Roads maintenance budget of £16,700 from 2024/25 onwards, which was required to maintain the infrastructure change as detailed in paragraph 4.1 of the report;
- (vii) to instruct the Chief Officer - Strategic Place Planning to engage with First Bus and Stagecoach to agree a voluntary code of practice that buses adhere to the same driving arrangements in Union Street Central bus zone as were in place in Broad Street bus zone;
- Building Conditions/ Occupancy**
- (viii) subject to an updated full business plan being provided by the Open Space Trust and review by officers, to agree in principle to restore the capital grant of up to £358,000 to the Open Space Trust which was removed at the Council 2022/23 budget-setting meeting and that this should be funded from the capital allocation

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- to the City Centre and Beach Masterplans, the final decision being referred to the Council's budget setting process for 2023/24;
- (ix) to note the content of the Strategic Outline Case Upper Floor use options at 101-103 Union Street (Appendix G) and instruct the Chief Officer - Corporate Landlord to continue to review and report back by August 2023;
- Aberdeen Market**
- (x) to note the business case for Aberdeen Market (Appendix C) and instruct the Director of Resources following consultation with the Chief Officer - Corporate Landlord to proceed with the negotiation and execution of contracts for delivery and report progress back to Council on a 6 monthly basis from the date of this report;
- Queen Street**
- (xi) to agree the Strategic Outline Case for Queen Street and instruct the Director of Resources to progress the short-listed options into an Outline Business Case which would identify a preferred option and report back to Council in August 2023; and
- City Centre Masterplan Working Group**
- (xii) to establish a City Centre Masterplan Working Group which would comprise one member from each political group and Councillors Boulton and Stewart.

**In accordance with Article 5 of the minute, Councillor Hutchison left the meeting for the following item of business**

### **GEORGE STREET MINI MASTERPLAN - COM/22/291**

17. The Council had before it a report by the Director of Commissioning which presented a Draft Mini Masterplan for the George Street area.

#### **The report recommended:-**

that the Council -

- (a) approve the content of the Draft George Street Mini Masterplan (Appendix 1) and note the engagement undertaken with stakeholders to date (Appendix 2);
- (b) note the content of the Draft George Street Mini Masterplan Strategic Environmental Assessment Draft Scoping Report (Appendix 3) and note that an Environmental Report would be prepared to accompany the George Street Mini Masterplan;
- (c) instruct the Chief Officer - Strategic Place Planning to publish the Draft George Street Mini Masterplan and associated Strategic Environmental Assessment for a 6-week public consultation period in early 2023; and
- (d) instruct the Chief Officer - Strategic Place Planning to report the outcomes of the public consultation on the Draft George Street Mini Masterplan back to Council by December 2023, including any recommended revisions to the Draft Mini Masterplan.

#### **The Council resolved:-**

to approve the recommendations.

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**In accordance with Article 5 of the minute, Councillor Grant left the meeting for the following item of business**

**VACANT UNITS ON UNION STREET - ACTION PLAN - COM/22/287**

18. The Council had before it a report by the Director of Commissioning which sought approval of an Action Plan to support the re-population of empty units on Union Street.

**The report recommended:-**

that the Council -

- (a) note the Union Street Empty Shops Action Plan provided in Appendix 1 to the report;
- (b) note the role of a number of city centre stakeholders in developing the proposals in the Plan and the support provided by the Council to some of those organisations;
- (c) instruct the Chief Officer - City Growth to support stakeholders to implement the proposed actions in the Plan where appropriate;
- (d) instruct the Chief Officer - City Growth, in consultation with the Director of Resources, to develop a grant scheme of £500,000 to support the reconfiguration of empty shops on Union Street for confirmed occupancy, subject to the Council's budget setting process for 2023/24; and
- (e) instruct the Chief Officer - City Growth to report back on progress of the Plan to the Finance and Resources Committee in early 2024.

Councillor Nicoll moved, seconded by Councillor Yuill:-

That the Council approve the recommendations contained within the report.

Councillor Houghton moved as an amendment, seconded by Councillor Kuszniir:-

That the Council agree the recommendations contained within the report subject to the following change:

- (d) instruct the Chief Officer - City Growth, following consultation with the Chief Officer - Finance, to develop a grant scheme of £1m to support the reconfiguration of empty shops on Union Street for confirmed occupancy, subject to the Council's budget setting process for 2023/24.

On a division, there voted:-

For the motion (34) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Ali, Allard, Alphonse, Blake, Bonsell, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Crockett, Davidson, Fairfull, Graham, Greig, Henrickson, Hutchison, Macdonald, MacGregor, McLellan, McRae, Malik, Mennie, Nicoll, Radley, van Sweeden, Thomson, Tissera, Watson and Yuill.

For the amendment (9) - Councillors Boulton, Brooks, Cross, Farquhar, Houghton, Kuszniir, McLeod, Massey and Stewart.

Absent from the division (1) - Councillor Grant.

Council Meeting, Wednesday, 14 December 2022

**The Council resolved:-**

to adopt the motion.

**BEACHFRONT MASTERPLAN - SHORT TERM INTERVENTION UPDATE - COM/22/292**

19. With reference to Article 2 of the minute of its meeting of 25 August 2022, the Council had before it a report by the Director of Commissioning which provided updates specifically on the preparation of the Beachfront Masterplan Phase A works (Urban Park, Events Park and Broadhill Landscaping and Structures) progression through to Full Business Case (FBC).

**The report recommended:-**

that the Council -

- (a) note the update from the Chief Officer - Commercial & Procurement on progress of the short-term interventions to FBC: Urban Park, Events Park and Broadhill Landscaping and Structures;
- (b) note the update from the Chief Officer - Strategic Place Planning on the 6 week consultation period carried out on the Draft Development Framework; accompanying Environmental Report; the findings of the resulting Engagement Report and agree that an updated Development Framework be reported back to the Council meeting on 26 April 2023;
- (c) instruct the Chief Officer - Commercial & Procurement to progress with all relevant statutory consents that would be needed to be obtained before any works proceed, and start early discussion with the Planning Authority prior to any applications being submitted; and
- (d) instruct the Chief Officer - Commercial & Procurement to take the Beachfront Masterplan Phase A Works to Full Business Case (FBC) and report the FBC to Council on 23 August 2023.

**The Council resolved:-**

- (i) to approve the recommendations; and
- (ii) to note that the Director of Resources would co-ordinate a response to the questions from the Disability Equity Partnership and circulate the response to Councillors upon the relevant correspondence being passed to him.

**BEACHFRONT MASTERPLAN UPDATE - MEDIUM TO LONG TERM INTERVENTIONS - COM/22/293**

20. With reference to Article 2 of the minute of its meeting of 25 August 2022, the Council had before it a report by the Director of Commissioning which provided updates on preparation of the Beachfront Development Framework as well as a number of key projects which were progressing through to either Outline Business Case (OBC) or Full Business Case (FBC).

**The report recommended:-**

that the Council -

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- (a) note the update from the Chief Officer - Strategic Place Planning on the 6 week consultation period carried out on the Draft Development Framework and accompanying Environmental Report and the findings of the resulting Engagement Report and agree that an updated Development Framework be reported back to the Council meeting on 26 April 2023;
- (b) instruct the Chief Officer - Strategic Place Planning to retain Spaces for People measures until they were replaced with a finalised scheme and advertise any required Temporary Traffic Regulation Order;
- (c) note the update from the Chief Officer - Commercial & Procurement on progress of the medium-term interventions to OBC: Pedestrian Spine, Beach Boulevard, New Canopies, Landscape Mounding, Reconfigured Beach Landscaping;
- (d) instruct the Chief Officer - Commercial & Procurement to report progress of the OBC for the medium-term interventions listed in (c) above to Council on 26 April 2023;
- (e) note the update from the Chief Officer - Commercial & Procurement on progress of the longer-term interventions - Beach Village, Slipway, Boardwalk, Beach Ballroom, New Leisure Facility and Energy Centre and Stadium;
- (f) instruct the Chief Officer - Commercial & Procurement to include all the longer term interventions listed at (e) above within the Beach Masterplan in the interim for review during the annual budget cycle and/or as funding became available;
- (g) note the update from the Chief Officer - Commercial & Procurement on progress of the City Centre to Beach Connectivity to OBC: Justice Street Roundabout;
- (h) instruct the Chief Officer - Commercial & Procurement to report progress of the OBC for the medium-term intervention listed in (g) above to Council on 26 April 2023;
- (i) note the update from the Chief Officer - Commercial & Procurement in conjunction with the Chief Officer - Operations and Protective Services on progress of coastal protection studies and design development to inform the OBC;
- (j) instruct the Chief Officer - Commercial & Procurement to report progress of the OBC for the medium term intervention listed in (i) above to Council on 26 April 2023; and
- (k) instruct the Chief Officer - Strategic Place Planning to explore options for implementing physically segregated cycle tracks within the designated Beach Masterplan where possible to do so and report back to Council on 26 April 2023.

**The Council resolved:-**

to approve the recommendations.

**STATUTORY FUNCTION REVIEW - COM/22/288**

21. The Council had before it a report by the Chief Executive which provided an update on the ongoing review of local authority statutory functions.

**The report recommended:-**

that the Council -

- (a) note the progress to date on the Statutory Function Review; and
- (b) instruct the Chief Executive and Chief Officer - Governance to discuss with the Scottish Government opportunities to transfer functions through legislative

## Council Meeting, Wednesday, 14 December 2022

change and to report back to Council on any specific opportunities proposed to be progressed.

Councillor Nicoll moved, seconded by Councillor Yuill:-

That the Council approve the recommendations contained within the report.

Councillor Tissera moved as an amendment, seconded by Councillor Crockett:-

That the Council take no action.

**During the course of debate, Councillor Yuill advised that he had a connection in relation to the matter by virtue of his appointment by the Council to the Board of NHS Grampian, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.**

On a division, there voted:-

For the motion (31) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Brooks, Hazel Cameron, Clark, Cooke, Copland, Cormie, Cross, Davidson, Fairfull, Farquhar, Greig, Henrickson, Houghton, Hutchison, Kuszniir, MacGregor, McLellan, McLeod, McRae, Massey, Mennie, Nicoll, Radley, van Sweeden and Yuill.

For the amendment (11) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Macdonald, Malik, Thomson, Tissera and Watson.

Declined to vote (2) - Councillors Boulton and Stewart.

**The Council resolved:-**

to adopt the motion.

**GOVERNANCE REVIEW OF TRUSTS - 2022 UPDATE - COM/22/285**

**22.** The Council had before it a report by the Director of Commissioning which provided an update on activity in relation to trusts to which the Council was connected and sought approval of proposed constitutional documents.

**The report recommended:-**

that the Council -

- (a) note the activity, as detailed in the report, undertaken in relation to trusts to which the Council was connected;
- (b) approve, as sole trustee of Lands of Torry (charity number SC021299), the proposed constitution for that charity in Appendix E;
- (c) approve, as sole trustee of Lands of Skene (charity number SC018533), the proposed constitution for that charity in Appendix F;
- (d) approve, as sole trustee of City of Aberdeen Council Guildry & Mortification Funds (charity number SC011857), the proposed constitution for that charity in Appendix G;

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- (e) instruct the Chief Officer - Governance to submit the proposed constitutions in Appendices E, F and G to the Office of the Scottish Charity Regulator (OSCR) for its approval; authorise that Chief Officer to make any amendments to those constitutions, prior to such OSCR approval being obtained, which that Chief Officer considered to be appropriate; and instruct that Chief Officer to take any necessary steps, following such OSCR approval being obtained, to bring those constitutions into effect; and
- (f) instruct the Chief Officer - Governance to bring a further update report to Council no later than December 2023 on future activity in relation to trusts to which the Council was connected.

**The Council resolved:-**

to approve the recommendations.

**BUFFER ZONES - COM/22/270**

**23.** With reference to Article 9 of the minute of its meeting of 24 August 2022, the Council had before it a report by the Director of Commissioning which provided an update on discussions with the Scottish Government and COSLA and latest developments on the establishment of buffer zones and the gathering of evidence to support either a buffer zone or a byelaw.

**The report recommended:-**

that the Council -

- (a) note the ongoing initiatives and the evidence gathered to date; and
- (b) instruct the Interim Chief Officer - Governance to continue to liaise with the Scottish Government and COSLA and provide a service update on the outcome of the Supreme Court Decision.

The Interim Chief Officer - Governance advised the Council that since publication of the report, the judgement of the Supreme Court on the Northern Ireland Bill had been received. The Interim Chief Officer - Governance advised that she would be seeking approval of the same recommendations within the report, with a service update to be provided once officers had been able to review the judgement in full. She advised that notwithstanding the Supreme Court decision, there was insufficient evidence to implement a local byelaw for buffer zones and the risk of legal and financial challenge of doing so in Aberdeen was high. However, she added, the Scottish Government was proceeding with a view to implementing similar legislation, therefore supporting the national approach would ensure a consistent approach across the whole of Scotland, rather than individual Councils implementing different byelaws.

**At this juncture, Councillor Yuill advised that he had a connection in relation to the matter by virtue of his appointment by the Council to the Board of NHS Grampian, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.**

**Councillor Houghton advised that he also had a connection in relation to the matter as his partner was a doctor with NHS Grampian, however having**



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**applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.**

Councillor Radley moved, seconded by Councillor Greig:-

That the Council approve the recommendations contained within the report.

Councillor Tissera moved as an amendment, seconded by Councillor Farquhar:-

That the Council -

Notes the unanimous judgement from the UK's highest Court relating to buffer zones in Northern Ireland.

Notes that at a specially requisitioned meeting on 13 July 2022, the Council resolved to instruct the Chief Officer - Governance to liaise with the Scottish Government and COSLA to explore options to establish protest-free buffer zones including but not limited to potentially implementing a local byelaw.

Agrees the judgement from the Supreme Court is a positive affirmation of women and girls, rights to protection from harassment when accessing these services. Agrees to continue to lobby the Scottish government to introduce Scottish Buffer Zone legislation at pace.

Agrees to instruct the Chief Officer - Governance to gather evidence necessary for a byelaw and bring forward a report to the next Council meeting in February with a form of words for a proposed byelaw, in order for Council to agree or otherwise and thereafter seek Scottish Government consent to introduce a byelaw.

On a division, there voted:-

For the motion (25) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Massey, Mennie, Nicoll, Radley, van Sweeden and Yuill.

For the amendment (18) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kusznir, Macdonald, McLeod, Malik, Thomson, Tissera and Watson.

Declined to vote (1) - Councillor Stewart.

**The Council resolved:-**  
to adopt the motion.

## **WORK PLAN AND BUSINESS CASES - REVENUE - COM/22/273**

**24.** The Council had before it a report by the Director of Commissioning which presented a procurement work plan where expenditure was included for the Operations and Customer Functions for review and sought approval of the total estimated

Council Meeting, Wednesday, 14 December 2022

expenditure for the proposed contract as contained in the Procurement Business Case appended to the report.

**The report recommended:-**

that the Council -

- (a) review the workplan as detailed in the appendices for the Operations and Customer Functions;
- (b) approve the procurement business case, including the total estimated expenditure for the proposed contract; and
- (c) note the content of Appendix 3 - 3.10 Memos (Exemption Urgency).

**The Council resolved:-**

- (i) to approve the recommendations; and
- (ii) to note that the Chief Officer - Integrated Children's and Family Services would provide a service update on the development of an alliance for the future commissioning of early intervention services in the autumn of 2023.

**TREASURY MANAGEMENT STRATEGY - MID-YEAR REVIEW - RES/22/267**

25. The Council had before it a report by the Director of Resources which provided an update on Treasury Management activities undertaken to date during financial year 2022/23.

**The report recommended:-**

that the Council note the Treasury Management activities undertaken in the 2022/23 financial year as detailed in the report.

**The Council resolved:-**

to approve the recommendation.

**REVIEW OF PARKING CHARGES - RES/22/294**

26. The Council had before it a report by the Director of Resources which detailed the review of parking charges within Aberdeen as it compared to other local authorities and other local providers and recommended a structure of charges for future years.

**The report recommended:-**

that the Council -

- (a) instruct the Chief Officer - Operations and Protective Services to carry out the necessary actions to increase on-street and off-street parking charges by 10% from 1 April 2023 and 5% each following year for four years; and
- (b) instruct the Chief Officer - Operations and Protective Services to carry out the necessary actions to amend the pricing structure of Resident Parking Permits as per Table 1 of the report from 1 April 2023 and 5% each of the following years for four years.

**At this juncture, the Council agreed to suspend Standing Order 40.2 to allow the meeting to continue beyond six hours.**

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Councillor McLellan moved, seconded by Councillor Yuill:-

That the Council -

- (1) instruct the Chief Officer - Operations and Protective Services to carry out the necessary actions to increase on-street and off-street parking charges by 10% from 1 April 2023; and
- (2) instruct the Chief Officer - Operations and Protective Services to carry out the necessary actions to amend the pricing structure of Resident Parking Permits as per Table 1 of the report, from 1 April 2023.

Councillor Houghton moved as an amendment, seconded by Councillor Kuszniir:-

That the Council refer the matter to the budget process.

Councillor Boulton moved as a further amendment, seconded by Councillor Farquhar:-

That the Council refer the matter to the budget process and include options to allow for 2 hours on-street parking.

During the course of summing up, Councillor Houghton advised that he was willing to accept the 2 hours on-street parking element of Councillor Boulton's amendment into a combined amendment and this was accepted.

On a division, there voted:-

For the motion (24) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley, van Sweeden and Yuill.

For the amendment (20) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Macdonald, McLeod, Malik, Massey, Stewart, Thomson, Tissera and Watson.

**The Council resolved:-**

to adopt the motion.

## **FAIRER ABERDEEN FUND ANNUAL REPORT 2021-22 - CUS/22/286**

27. The Council had before it a report by the Director of Customer Services which provided members with the Fairer Aberdeen Fund Annual Report 2021-22.

**The report recommended:-**

that the Council -

- (a) note the Fairer Aberdeen Annual Report for 2021-22 appended to the report and the positive impact that had been made to lives of people in Aberdeen; and
- (b) instruct the Director of Customer Services to congratulate the Fairer Aberdeen Board and their volunteers for the work they have done and their many successes.

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**The Council resolved:-**

to approve the recommendations.

**LOCALITY PLANS ANNUAL REPORT - CUS/22/282**

**28.** The Council had before it a report by the Director of Customer Services which presented the Annual Report on progress against the North, South and Central Locality Plans 2021/22.

**The report recommended:-**

that the Council -

- (a) approve the Locality Plans Annual Report 2021/2022;
- (b) agree for publication and circulation of the Locality Plans Annual Report 2021/2022 to all partners; and
- (c) note that an easy read version of the Annual Report would be produced.

**The Council resolved:-**

to approve the recommendations.

**ADOPTION OF ABERDEEN LOCAL DEVELOPMENT PLAN 2023 - COM/22/283**

**29.** The Council had before it a report by the Director of Commissioning which presented the results of the Examination Report on the Aberdeen Local Development Plan (the Plan), the table of modification arising from the report and the Plan as modified for adoption. In addition, there was an updated Environmental Report comprising a Strategic Environmental Assessment and a Habitats Regulation Appraisal as required by legislation.

**The report recommended:-**

that the Council -

- (a) approve the modifications made to the Proposed Aberdeen Local Development Plan, as set out in Appendix 1, and any minor drafting changes;
- (b) instruct the Chief Officer - Strategic Place Planning to notify the Scottish Ministers of the Council's intention to adopt the Aberdeen Local Development Plan as modified; and
- (c) agree to adopt the Aberdeen Local Development Plan unless directed otherwise by Scottish Ministers and instruct the Chief Officer - Strategic Place Planning to undertake the statutory procedures set out in Appendix 4.

**The Council resolved:-**

- (i) to approve the recommendations; and
- (ii) to thank officers for their work in relation to the Aberdeen Local Development Plan.

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**ABERDEEN LOCAL DEVELOPMENT PLAN 2023 - DRAFT ABERDEEN PLANNING GUIDANCE AND SUPPLEMENTARY GUIDANCE - COM/22/284**

30. The Council had before it a report by the Director of Commissioning which presented draft Aberdeen Planning Guidance and Supplementary Guidance to the emerging Aberdeen Local Development Plan 2023 for approval and consultation.

**The report recommended:-**

that the Council -

- (a) approve the draft Aberdeen Planning Guidance and Supplementary Guidance documents set out in Appendix 1 and instruct the Chief Officer - Strategic Place Planning to publish them, subject to any minor drafting changes, for a six-week period of public consultation;
- (b) instruct the Chief Officer - Strategic Place Planning to report the results of the public consultation and any proposed revisions to the draft Aberdeen Planning Guidance and Supplementary Guidance documents to Members at a subsequent meeting of Full Council within 12 months of the consultation ending;
- (c) instruct the Chief Officer - Strategic Place Planning to consult the Strategic Environmental Assessment (SEA) Gateway on associated SEA Screening Reports for the draft Aberdeen Planning Guidance documents, and to publicise the result of the Screening Determinations via a public notice;
- (d) adopt the draft Aberdeen Planning Guidance and Supplementary Guidance documents as Interim Planning Advice from the date of adoption of the Aberdeen Local Development Plan 2023; and
- (e) instruct the Chief Officer - Strategic Place Planning to make any minor technical drafting updates which may be required to other existing non-statutory planning guidance.

**The Council resolved:-**

to approve the recommendations.

**In accordance with Article 4 of the minute, the Council considered the following items of business with the press and public excluded**

**CITY CENTRE UPDATE - COM/22/290 - EXEMPT APPENDIX**

31. With reference to Article 16 of this minute, the Council had before it an exempt appendix relating to the City Centre Update report.

**The Council resolved:-**

to note the appendix.

**WORK PLAN AND BUSINESS CASES - REVENUE - COM/22/273 - EXEMPT APPENDICES**

32. With reference to Article 24 of this minute, the Council had before it exempt appendices relating to the Work Plan and Business Cases - Revenue report.

Council Meeting, Wednesday, 14 December 2022

**The Council resolved:-**

to note the appendices.

**MAJOR EVENT UPDATE - COM/22/299**

33. The Council had before it a report by the Director of Commissioning which provided an update on discussions regarding Aberdeen's potential involvement in a major event.

**At this juncture, Councillor Yuill advised that he had a connection in relation to the item as a member of a specific organisation, however having applied the objective test he did not consider that he had an interest and would not be withdrawing from the meeting.**

**The Council resolved:-**

to approve the recommendations in the exempt report.

**In accordance with Article 5 of the minute, Councillor Grant left the meeting for the following item of business**

**EUROPEAN PIPE BAND CHAMPIONSHIPS - COM/22/298**

34. The Council had before it a report by the Director of Commissioning which provided an update on discussions with the Royal Scottish Pipe Band Association (RSPBA) for Aberdeen to host the European Pipe Band Championships in June 2023 and sought approval to host the competition at Duthie Park.

**The report recommended:-**

that the Council -

- (a) note the financial implications and risks of hosting the event described in section 4 of the report and approve a budget of up to £160,000 to deliver the event from the Council's Common Good budget for 2023/24;
- (b) instruct the Chief Officer - City Growth to submit a bid for Aberdeen City Council to host the event in June 2023;  
**And, if the outcome of the bid is successful:**
- (c) instruct the Chief Officer - City Growth to work with the promoters and stakeholders to deliver the event; and
- (d) instruct the Chief Officer - Commercial and Procurement, following consultation with the Chief Officer - City Growth, Chief Officer - Finance and Chief Officer - Governance, and the Convener and Vice Convener of the Finance and Resources Committee to:
  - (i) negotiate and conclude all agreements and related with the RSPBA; and
  - (ii) approve any related procurements including approval of expenditure within the budget proposed.

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**The Council resolved:-**

to approve the recommendations.

- **DAVID CAMERON, Lord Provost**

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## ABERDEEN CITY COUNCIL

Town House,  
ABERDEEN, 11 January 2023

### MINUTE OF MEETING OF ABERDEEN CITY COUNCIL

Sederunt:

Lord Provost David Cameron, Chairperson;  
Depute Provost Steve Delaney; and

#### COUNCILLORS

GILLIAN AL-SAMARAI  
NURUL HOQUE ALI  
CHRISTIAN ALLARD  
ALISON ALPHONSE  
KATE BLAKE  
JENNIFER BONSELL  
MARIE BOULTON  
DESMOND BOUSE  
RICHARD BROOKS  
HAZEL CAMERON  
DONNA CLARK  
JOHN COOKE  
NEIL COPLAND  
WILLIAM CORMIE  
BARNEY CROCKETT  
SARAH CROSS  
DEREK DAVIDSON  
LEE FAIRFULL  
EMMA FARQUHAR  
GORDON GRAHAM  
ROSS GRANT

MARTIN GREIG  
DELL HENRICKSON  
RYAN HOUGHTON  
MICHAEL HUTCHISON  
MICHAEL KUSZNIR  
SANDRA MACDONALD  
NEIL MacGREGOR  
ALEXANDER McLELLAN  
KEN McLEOD  
CIARAN McRAE  
DUNCAN MASSEY  
JESSICA MENNIE  
ALEX NICOLL  
MIRANDA RADLEY  
JENNIFER STEWART  
KAIRIN VAN SWEEDEN  
LYNN THOMSON  
DEENA TISSERA  
SIMON WATSON  
and  
IAN YUILL

Lord Provost David Cameron, in the Chair.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

Council Meeting, Wednesday, 11 January 2023

## WRITTEN REQUEST FOR SPECIAL MEETING

1. The Council had before it the wording of the written request for this special Council meeting which had been signed by 12 members in accordance with Standing Order 8.2.2:-

“The business proposed to be transacted relates to the impact on education from the apparent inability of the Scottish Government to enable an amicable agreement on teachers’ salaries.”

The Council received a verbal update from officers, following which a number of questions were asked and responded to.

Councillor Blake moved, seconded by Councillor Ali:-

That the Council -

- Agree that a teachers’ strike is not in the best interest of children and young people.
- Agree with the Scottish Liberal Democrat Education spokesperson, Willie Rennie MSP that “No one believes that decisions on offers to end the strike are being taken by the Education Secretary anymore. The First Minister and her deputy are now the ones responsible for this disruption. It’s time they provided a decent pay offer from the vast budget at their disposal.”
- Therefore, calls on a joint response from the four group leaders, and independent members should they wish, to write to the First Minister, copying in the Cabinet Secretary for Education and Skills, highlighting the damage this teachers’ strike is having on our children’s education urging her to provide all of the funding required for a meaningful pay increase to allow teachers to get back in their classrooms.

Councillor Mennie moved as an amendment, seconded by Councillor van Sweeden:-

That the Council -

1. Recognises that the high-quality education for our children and young people across the City of Aberdeen provided by teachers and wider education staff improves the life choices and opportunities for the pupils in their care.
2. Notes that teaching unions have balloted their members for strike action as part of a 10% pay claim and that the ballot received support from members for such action to be undertaken.
3. Acknowledges that the dispute is a national issue which is subject to negotiating procedures between the unions, CoSLA and Scottish Government Ministers.
4. Notes the Scottish Government has finite financial resources and, without additional resources being provided by the UK Government, there is a limit on what can be offered to teachers.
5. Notes that the UK has the predicted lowest level of economic growth of G7 countries in 2023 and increases in inflation in excess of ten percent which is set to erode living standards for the foreseeable future.
6. Notes with concern that the UK Government’s response to address legitimate pay claims has been to introduce legislation to remove the

Council Meeting, Wednesday, 11 January 2023

rights of employees across many sectors, such as teachers, to withdraw their labour.

7. Further notes that there is now widespread industrial unrest across the UK, leaving local government in Scotland and the Scottish Government with insufficient funding to meet pay claims.
8. Invites any group leader who wishes, to write to the Prime Minister and the Chancellor of the Exchequer highlighting Aberdeen City Council's concerns regarding the adverse impact this dispute continues to have on families and the education of our young people; calls on the UK Government to provide realistic, recurring and sustainable funding to the Scottish Government so it can fund fair pay for all public sector workers across Scotland to address the ongoing cost of living crisis created by the UK Government.

On a division, there voted:-

For the motion (19) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Cross, Farquhar, Graham, Grant, Houghton, Kuszniir, Macdonald, McLeod, Massey, Stewart, Thomson, Tissera and Watson.

For the amendment (20) - Lord Provost; and Councillors Al-Samarai, Allard, Alphonse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Nicoll, Radley and van Sweeden.

Declined to vote (4) - Depute Provost; and Councillors Bouse, Greig and Yuill.

**The Council resolved:-**

to adopt the amendment.

- **DAVID CAMERON, Lord Provost.**

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	A	B	C	D	E	F	G	H	I
1	<b>COUNCIL BUSINESS PLANNER</b> The Business Planner details the reports which have been instructed by the Council as well as reports which the Functions expect to be submitting for the calendar year.								
2	<b>Report Title</b>	<b>Minute Reference/Committee Decision or Purpose of Report</b>	<b>Update</b>	<b>Report Author</b>	<b>Chief Officer</b>	<b>Director</b>	<b>Terms of Reference</b>	<b>Delayed or Recommended for removal or transfer, enter either D, R, or T</b>	<b>Explanation if delayed, removed or transferred</b>
3	<b>Date to be confirmed</b>								
4	Natural History Museum Aberdeen	At its meeting of 28 February 2022, the Council:- (a) instructed the Chief Officer - City Growth to discuss with the UK Government Department for Digital, Culture, Media and Sport and the Natural History Museum the feasibility for a Natural History Museum Aberdeen, including the University of Aberdeen and the Aberdeen Medico-Chirurgical Society in the process and report to Full Council in August 2022; (b) instructed the Chief Officer - City Growth, subject to the outcome of (a) to explore potential locations including Woolmanhill; and (c) instructed the Chief Officer - Corporate Landlord, subject to positive outcomes from (a) and (b) to bring forward redevelopment/improvement options for the Denburn car park and report back to a future meeting of Full Council.	...	Richard Sweetnam/ Stephen Booth	City Growth/ Corporate Landlord	Commissioning/ Resources	21	R	Discussions between the Chief Officer - City Growth, the UK Government department for Digital, Culture, Media and Sport and the Director of the Natural History Museum established that that the Natural History Museum's forward plan does not include the development of regional outposts. Nevertheless positive outcomes of discussions include additions to Aberdeen Archives Gallery and Museums public programmes, loans from the Natural History Museum and opportunities for city-wide partnerships involving heritage and science partners such as the University of Aberdeen Museums and Special Collections, and the Aberdeen Medico-Chirurgical Society. The potential for such initiatives for any links to the new Events 365 Plan will be explored.
5	Wellington Road Multimodal Corridor	At the Council Budget meeting of 7 March 2022, the Council noted the commitment given by both Governments in relation to transport; and agreed that as both Governments agreed to work with the local authority to explore how the Strategic Investment will be prioritised, to instruct the Chief Executive to explore financial assistance from the Scottish Government to deliver the Wellington Road Multimodal Corridor and to report back on the outcome of the discussion in August 2022.		Stephen Booth	Corporate Landlord	Resources	21		
6	Street Occupation Policy	At its meeting of 28 February 2022, the Council instructed the Chief Officer - Corporate Landlord to bring back a street occupation policy by the end of 2022		Stephen Booth	Corporate Landlord	Resources	21		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Broad Street	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Operations and Protective Services to report back to Council on the implications of closing permanently the section of Broad Street between Queen Street and Upperkirkgate to all vehicles.		David Dunne	Strategic Place Planning	Commissioning	21		
7	<b>22nd February 2023</b>								
8									
9	City Climate Change Governance Structures	At its meeting of 28 February 2022, the Council instructed the Chief Officers - Governance and Strategic Place Planning to work with the members of Aberdeen's Net Zero Leadership Board, Delivery Unit, the Local Resilience Partnership and other groups as appropriate to develop city climate change governance structure/s appropriate for meeting the aims of the Route-Map and Aberdeen Adapts Framework, and report back to a future Council meeting, no later than the next annual update on the Routemap and Adaptation Framework	A report is on the agenda	Alison Leslie	Strategic Place Planning	Commissioning	21		
10	Licensing Board Vacancy	To elect a Member to fill the current vacancy on the Licensing Board.	A report is on the agenda	Sandy Munro	Governance	Commissioning	8		
11	Convener of Audit, Risk and Scrutiny Committee	To seek to appoint Councillor Crockett as Convener of the Audit, Risk and Scrutiny Committee in place of Councillor Macdonald.	A report is on the agenda	Martyn Orchard	Governance	Commissioning	7		
12	Treasury Management Policy	To outline the Council's Treasury Management Policy for 2023/24 to 2025/26, for approval.	A report is on the agenda	Neil Stewart	Finance	Resources	5 and 6		
13	Aberdeen City Integration Scheme	To consider the review of the Aberdeen City Integration Scheme prior to submission to Scottish Ministers.	A report is on the agenda	Alison Macleod	Health and Social Care Partnership	Health and Social Care Partnership	21		
14	Work Plan and Business Cases - Revenue	To present a procurement work plan where expenditure is included for the Operations Function for review and to seek approval of the total estimated expenditure for the proposed contract.	A report is on the agenda	Mel MacKenzie	Commercial and Procurement	Commissioning	24		
15	Population Needs Assessment	To present the Population Needs Assessment every two years to understand the needs which public bodies must address.		Martin Murchie	Data and Insights	Customer	24.1	D	The Population Needs Assessment is being updated in line with the refresh of the LOIP which is now planned for the beginning of 2024.

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
16	Locality Based Approach to Deliver Net Zero	At its meeting of 28 February 2022, the Council instructed the Chief Officer - Strategic Place Planning, in conjunction with relevant stakeholders, to explore options towards developing a locality-based approach to deliver net zero and adaptation, taking into account allied approaches and commitments, such as locality plans, local place plans, 20-minute neighbourhoods, etc., and to begin this process with a pilot reporting both back to Council in or before March 2023		David Dunne	Strategic Place Planning	Commissioning	21	D	Due to the restructure of the Climate and Environment team and delays in guidance on 20minute neighbourhoods and Local Place Plans associated with the National Planning Framework 4, this work has been delayed and will be reported to a future committee.
17	<b>1st March 2023 (Budget)</b>								
18	Council Delivery Plan 2023/24	To present the Council Delivery Plan for 2023/24.		Martin Murchie	Chief Executive	Chief Executive	2		
19	Prevention and Early Intervention	To advise the Council on the approach taken to embed Prevention and Early Intervention into the Commissioning cycle and shape budget decisions to positively deliver on outcomes for Aberdeen.		Derek McGowan	Early Intervention and Community Empowerment	Customer Services	24.7		
20	General Fund Revenue Budget and Capital Programme 2023/24	To provide information on both the revenue budget for 2023/24 and capital programme for the period 2023/24 to 2027/28 in order that approved budgets and Council Tax value can be set by the Council for the year commencing 1 April 2023.		Jonathan Belford	Finance	Resources	1, 2 and 3		
21	Housing Revenue Account 2023/24	To provide members with information to enable the Council to approve a revenue and capital budget for 2023/24, including the setting of the rents and other charges on the Housing Revenue Account for the financial year.		Helen Sherrit	Finance	Resources	2		
22	Common Good Budget 2023/24	To provide Council with details of the draft Common Good budget for 2023/24, to enable the Council to approve a final budget that will take effect on 1 April 2023.		Helen Sherrit	Finance	Resources	2		
23	<b>26th April 2023</b>								





	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
28	Beachfront Masterplan - Cycle Tracks	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Strategic Place Planning to explore options for implementing physically segregated cycle tracks within the designated Beach Masterplan where possible to do so and report back to Council on 26 April 2023.		David Dunne	Strategic Place Planning	Commissioning	21		
29	<b>14th June 2023</b>								
30	Aberdeen Christmas Village	SCC 23/06/22 - to instruct the Chief Officer – City Growth to report back to the Strategic Commissioning Committee in 2023 with John Codona's, Pleasure Fairs Ltd.'s annual feedback report, as per their contract obligations		Stephen O'Neill	City Growth	Commissioning	24.14		
31	Annual Procurement Performance Report	To present the annual procurement performance report		Craig Innes	Commercial and Procurement	Commissioning	24.16		
32	Treasury Management - Year-end Review	To update the Council on Treasury Management activities undertaken during financial year 2022/23.		Neil Stewart	Finance	Resources	5 and 6		
33	Aberdeen Market	At its meeting of 14 December 2022, the Council noted the business case for Aberdeen Market and instructed the Director of Resources following consultation with the Chief Officer - Corporate Landlord to proceed with the negotiation and execution of contracts for delivery and report progress back to Council on a six monthly basis.		Stephen Booth	Corporate Landlord	Resources	21		
34	<b>23rd August 2023</b>								
35	Review of Community Council Governance and Boundaries - Stage 1	To present the Revised Scheme for the Establishment of Community Councils including boundary proposals for various Community Councils and to seek approval for the documents to be issued for public consultation.		Karen Finch	Governance	Commissioning	19		
36	City Centre and Beach Masterplan	At its meeting of 25 August 2022, the Council approved the City Centre and Beach Masterplan 2022, noting that it was a live document, and instructed the Chief Officer - Strategic Place Planning to keep the report under review, with progress reported to Full Council after 12 months.		David Dunne	Strategic Place Planning	Commissioning	21		
37	101-103 Union Street	At its meeting of 14 December 2022, the Council noted the content of the Strategic Outline Case Upper Floor use options at 101-103 Union Street and instructed the Chief Officer - Corporate Landlord to continue to review and report back by August 2023.		Stephen Booth	Corporate Landlord	Resources	21		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
38	Queen Street - Outline Business Case	At its meeting of 14 December 2022, the Council agreed the Strategic Outline Case for Queen Street and instructed the Director of Resources to progress the short-listed options into an Outline Business Case which would identify a preferred option and report back to Council in August 2023.		Steve Whyte	Director of Resources	Resources	21		
39	Beachfront Masterplan Phase A Works Full Business Case	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Commercial and Procurement to take the Beachfront Masterplan Phase A Works to Full Business Case (FBC) and report the FBC to Council on 23 August 2022.		Craig Innes	Commercial and Procurement	Commissioning	21		
40	<b>11th October 2023</b>								
41	Council Delivery Plan Annual Report	To present the annual report 2020/21 in respect of progress against the Council Delivery Plan		Alex Paterson	Data and Insights	Customer	13		
42	CPA Annual Outcome Improvement Report 2022/23	To present the annual report for the Local Outcome Improvement Plan		Michelle Crombie	Data and Insights	Customer	24.4		
43	<b>13th December 2023</b>								
44	Review of Community Council Governance and Boundaries - Stage 2	To present the Revised Scheme for the Establishment of Community Councils including boundary proposals for various Community Councils and to seek approval for the documents to be issued for public consultation.		Karen Finch	Governance	Commissioning	19		
45	Children's Services Structural Model	At its meeting on 13 October 2022, the Council instructed the Chief Executive to review the Scottish Government's preferred structural model for Children's Services when it is published (anticipated to be later in 2023) and report back to Council, providing advice on the implications for the Council, and specific proposals in relation to the requirements for the Council's organisational structure going forward; including the impact on the Interim Director of Children's and Family Services role.		Angela Scott	Chief Executive	Chief Executive	21		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
46	City Centre - Streetscape Programme	At its meeting of 14 December 2022, the Council instructed the Director of Resources to progress with developing the remaining streetscape programmes, including options for the provision of physically segregated cycle tracks/lanes, and bring forward for consideration and approval an update to the Full Business Case following conclusion of design, planning and consultation stages on the following programmes by December 2023: (a) Union Street East and Castlegate and Justice Street; (b) Union Street West and West End; (c) Market Streetscape Phases 2 and 3 Further design work to be funded from the City Centre and Beach Masterplan budget.		Steve Whyte	Director of Resources	Resources	21		
47	George Street Mini Masterplan	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Strategic Place Planning to report the outcomes of the public consultation on the Draft George Street Mini Masterplan back to Council by December 2023, including any recommended revisions to the Draft Mini Masterplan.		David Dunne	Strategic Place Planning	Commissioning	21		
48	Treasury Management Mid-Year Review	To update the Council on Treasury Management activities undertaken to date, during financial year 2023/24.		Neil Stewart	Finance	Resources	5 and 6		
49	Governance Review of Trusts - 2023	At its meeting of 14 December 2022, the Council instructed the Chief Officer - Governance to bring a further update report to Council no later than December 2023 on future activity in relation to trusts to which the Council is connected.		Steven Inglis	Governance	Commissioning	21		
50	<b>Beyond 2023</b>								
51	Revised Council Climate Change Plan	At the Council meeting on 3 March 2021, the Council, amongst other things, instructed the Chief Operating Officer to report back to Full Council with a revised 5 year plan in 2025, or earlier if required.		David Dunne	Strategic Place Planning	Commissioning	21		
52	Review of Community Council Governance and Boundaries - Stage 3 (April 2024)	To present the Revised Scheme for the Establishment of Community Councils including boundary proposals for various Community Councils and to seek approval for the documents to be issued for public consultation.		Karen Finch	Governance	Commissioning	19		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Director	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Aberdeen Local Development Plan - Draft Aberdeen Planning Guidance and Supplementary Guidance	At its meeting of 14 December 2022, the Council approved the draft Aberdeen Planning Guidance and Supplementary Guidance documents and instructed the Chief Officer - Strategic Place Planning to publish them, subject to any minor drafting changes, for a six-week period of public consultation and report the results of the consultation and any proposed revisions to Members at a subsequent meeting of Full Council within 12 months of the consultation ending.		David Dunne	Strategic Place Planning	Commissioning	21		
53									

## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Council
<b>DATE</b>	22 February 2023
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Licensing Board Vacancy
<b>REPORT NUMBER</b>	COM/23/053
<b>DIRECTOR</b>	Gale Beattie, Director of Commissioning
<b>CHIEF OFFICER</b>	Jenni Lawson, Interim Chief Officer - Governance
<b>REPORT AUTHOR</b>	Sandy Munro
<b>TERMS OF REFERENCE</b>	8

### 1. PURPOSE OF REPORT

- 1.1 To inform the Council in terms of s2(4) of Schedule 1 to the Licensing (Scotland) Act 2005 (“the 2005 Act”) of a vacancy in the membership of the Licensing Board, and to seek the appointment of a Member to fill the vacancy.

### 2. RECOMMENDATION

That Council :-

- 2.1 elect a Member to fill the vacancy on the Licensing Board.

### 3. CURRENT SITUATION

- 3.1 A Licensing Board is to consist of such number (not fewer than 5 and not more than 10) of members as may be determined by the relevant council. Aberdeen City Council has agreed that the Licensing Board comprise 9 members. The members of a Licensing Board are to be elected by the council from among its councillors.
- 3.2 Where there is a vacancy in the membership of a Licensing Board, the Council must, at their first meeting after the vacancy arises, hold an election to fill the vacancy.

3.3 The vacancy has arisen as a result of the passing of Councillor MacKenzie and in the circumstances the February Council meeting is the first available meeting.

#### 4. FINANCIAL IMPLICATIONS

4.1 Each Member of a Licensing Board is required to comply with statutory training requirements before he or she is permitted to take part in any proceedings of the Board.

4.2 Expenditure related to the Licensing Board however is required to be funded from licensing income and should not therefore affect any existing budgets.

#### 5. LEGAL IMPLICATIONS

5.1 The procedure detailed in section 3 of the report is stipulated in the 2005 Act. Failure to follow that procedure would therefore breach licensing legislation.

#### 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

#### 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	N/A			
<b>Compliance</b>	Breach of licensing legislation	Recommendations in report is to ensure compliance	L	Yes
<b>Operational</b>	N/A			
<b>Financial</b>	Training Costs	Met from licensing income	L	Yes
<b>Reputational</b>	N/A			
<b>Environment / Climate</b>	N/A			

## 8. OUTCOMES

8.1 The proposals in this report have no impact on the Council Delivery Plan.

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	Full impact assessment not required
<b>Data Protection Impact Assessment</b>	Not required
<b>Other</b>	None

## 10. BACKGROUND PAPERS

10.1 None

## 11. APPENDICES

11.1 None

## 12. REPORT AUTHOR CONTACT DETAILS

<b>Name</b>	Sandy Munro
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## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Council
<b>DATE</b>	22 February 2023
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Convener of Audit, Risk and Scrutiny Committee
<b>REPORT NUMBER</b>	COM/23/056
<b>DIRECTOR</b>	Gale Beattie, Director of Commissioning
<b>CHIEF OFFICER</b>	Jenni Lawson, Interim Chief Officer - Governance
<b>REPORT AUTHOR</b>	Martyn Orchard
<b>TERMS OF REFERENCE</b>	7

### 1. PURPOSE OF REPORT

- 1.1 To seek to appoint Councillor Crockett as Convener of the Audit, Risk and Scrutiny Committee in place of Councillor Macdonald.

### 2. RECOMMENDATIONS

That the Council:-

- 2.1 appoint Councillor Crockett as Convener of the Audit, Risk and Scrutiny Committee with immediate effect.

### 3. CURRENT SITUATION

- 3.1 At the Statutory Council meeting on 18 May 2022, a number of appointments were made with regard to Conveners and Vice Conveners of the relevant committees.
- 3.2 Standing Order 2.6 stipulates that the Convener and Vice Convener of the Audit, Risk and Scrutiny Committee must be members of the opposition. Following the Statutory Council meeting, Councillors Macdonald and Houghton confirmed that they would be Convener and Vice Convener respectively of the Audit, Risk and Scrutiny Committee. The Council at its meeting on 29 June 2022, therefore noted those appointments and agreed that their remuneration as Senior Councillors be backdated to 18 May 2022.
- 3.3 In December 2022, Councillor Crockett replaced Councillor Macdonald as Leader of the Labour Group in Aberdeen, however this change was in very close proximity to the Council meeting of 14 December 2022, therefore the matter was not considered at that Council meeting.
- 3.4 Councillors Crockett and Macdonald have since advised that Councillor Crockett wishes to replace Councillor Macdonald as Convener of the Audit,

Risk and Scrutiny Committee with effect from the Council meeting on 22 February 2023. On that basis, Councillor Macdonald has submitted her resignation with effect from that date.

3.5 With regard to remuneration, the recommended change will have no impact on the number of Senior Councillors, nor the total amount paid to Senior Councillors given that it is simply replacing one Senior Councillor with another.

#### 4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from the recommendations of the report.

#### 5. LEGAL IMPLICATIONS

5.1 There are no legal implications arising from the recommendations of this report.

#### 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

#### 7. RISK

7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	No significant risks identified	N/A	N/A	N/A
<b>Compliance</b>	Council must comply with legislation and the Scheme of Governance	The recommendations comply with statutory obligations and the Scheme of Governance	L	Yes
<b>Operational</b>	No significant	N/A	N/A	N/A

	risks identified			
<b>Financial</b>	No significant risks identified	N/A	N/A	N/A
<b>Reputational</b>	No significant risks identified	N/A	N/A	N/A
<b>Environment / Climate</b>	No significant risks identified	N/A	N/A	N/A

## 8. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	Full impact assessment not required
<b>Data Protection Impact Assessment</b>	Not required

## 10. BACKGROUND PAPERS

None

## 11. APPENDICES

None

## 12. REPORT AUTHOR CONTACT DETAILS

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## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Council
<b>DATE</b>	22 February 2023
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Climate Change (Place) Governance Proposals
<b>REPORT NUMBER</b>	COM/23/054
<b>DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	David Dunne
<b>REPORT AUTHOR</b>	Alison Leslie
<b>TERMS OF REFERENCE</b>	21

### 1. PURPOSE OF REPORT

- 1.1 This report seeks Council approval for revised governance proposals to governance for city place based climate change work, as set out in Net Zero Aberdeen Routemap and Aberdeen Adapts: Climate Adaptation Framework.

### 2. RECOMMENDATIONS

That Council:-

- 2.1 Approve the climate change (place) governance proposals and refreshed Terms of Reference (Appendix A), updating the Leadership Board to a Net Zero and Adaptation Board and setting out the pilot process to expand the Delivery Unit to collaborative Delivery Hubs.
- 2.2 Appoint an elected member as Chair of the Net Zero and Adaptation Board for a period of 12 months in the first instance.
- 2.3 Instruct the Chief Officer - Strategic Place Planning, following consultation with the appointed Chair of the Net Zero and Adaptation Board, to invite additional external members to the Board to reflect the range of net zero and adaptation themes for Aberdeen.
- 2.4 Instruct the Chief Officer - Strategic Place Planning to engage with other north-east local authorities on place-based climate activity, to share knowledge; and enable dialogue on challenges and opportunities across existing and emerging climate collaborations and partnerships.
- 2.5 Note the proposed approach to developing place-based net zero and adaptation work programmes for Aberdeen.
- 2.6 Note the continued Council support for place-based net zero and adaptation work in the city through the Core Co-ordination Group; and the development and delivery of Council and Council partnership projects.

### 3. CURRENT SITUATION

#### Background

- 3.1 The Net Zero Aberdeen Routemap, 6 enabling strategies and a refresh of Aberdeen Adapts were approved at Council on 28 February 2022.
- 3.2 These are collaborative documents:
- Work to inform Aberdeen Adapts was developed in partnership and had input from 41 organisations.
  - Net Zero Aberdeen Routemap and 6 enabling strategies were co-created by the Net Zero Leadership Board and Delivery Unit, composed of 24 public, private and community sector partners.
  - The Net Zero Leadership Board was led by the Council Leader at that time and the Delivery Unit by the Chief Officer Strategic Place Planning.
- 3.3 The Leadership Board and Delivery Unit were established in June 2020 at Urgent Business Committee. They were set up following approval of the Net Zero Vision for Aberdeen and a supporting Strategic Infrastructure Plan for Energy Transition and since then led the co-development of the Net Zero Aberdeen Routemap and Net Zero Strategies, which were approved in February 2022.
- 3.4 In February 2022, Council agreed the following: Instructs the Chief Officers – Governance and Strategic Place Planning to work with the members of Aberdeen’s Net Zero Leadership Board, Delivery Unit, the Local Resilience Partnership and other groups as appropriate to develop city climate change governance structure/s appropriate for meeting the aims of the Route-Map and Aberdeen Adapts Framework, and report back to a future Council meeting, no later than the next annual update on the Routemap and Adaptation Framework.

#### City Climate Governance Model

- 3.5 To target, implement and improve delivery of place-based net zero and adaptation action, accelerating collaboration between public, private, further education and community organisations is critical.
- 3.6 The Governance Framework should remain flexible to adjust and respond to changing priorities, drivers, guidance and emerging opportunities. These include from the proposals emerging in Scotland around national and local capacity building for targeting and improved delivery of area-wide climate plans and action and recommendations from a number of areas including:
- The Scottish Parliament inquiry into the *Role of Local Government and its cross-sectoral partners in financing and delivering a net-zero Scotland*, (January 2023) includes recommendations around area-wide emissions, skills, resources, role of local government and support for the scale up and empowerment of local government action. It states, all Councils have in their area a unique *convening power*: the power to build networks and to bring together key individuals, communities and organisations from the private and

public sector to work together for a common purpose. This can also include working on a regional basis with neighbouring councils and stakeholders.

- Accounts Commission recommendations in, *Scotland's Council's Approach to Addressing Climate Change* (September 2022) include for Councils to increase collaboration efforts, though recognises achieving area-wide targets is likely to involve *complex relationships between different partners*.
- An Environmental Standards Scotland investigation underway on the effectiveness of systems to support Local Authority contribution to the delivery of climate change targets, the findings of this are yet to emerge.

3.7 Area-wide territorial greenhouse gas emissions are calculated by local authority boundary and this is reflected in the scope of the Net Zero Aberdeen Routemap. UK climate projections relevant to Aberdeen and the north-east of Scotland informed Aberdeen Adapts. As work programmes are developed some action may benefit from a locality-based approach within the city; while others could extend beyond the city depending on impacts and opportunities. Partnership work through the North East Local Flood Risk Management Plan 2022-28 is an example of contribution to climate adaptation, through reducing flood risk in relevant localities in Aberdeen and across the north east.

3.8 To inform these governance proposals, a review of place-based climate governance in other cities was undertaken looking at what was in place and how it operates; this was alongside a review of existing city and regional partnerships relevant to place-based climate activity. Discussions were held with the Place Based Climate Action Network and Sustainable Scotland Network.

3.9 A joint "Next Steps" workshop session was held in October 2022, bringing together members of the Leadership Board and Delivery Unit. The Workshop included discussion on the Governance review and proposals for the updated Terms of Reference (Appendix A). Following this there was the opportunity for further input.

3.10 In summary, revisions to the Terms of Reference include:

- i. Renaming the current Net Zero Leadership Board to a Net Zero and Adaptation Board, to reflect an extension of the current net zero remit to also include adaptation. The Board will provide expertise, advice and scrutiny to support the city transition to net zero and to increase climate resilience.
- ii. Widening the current membership of the Board to include additional areas expertise to encompass the net zero and adaptation themes.
- iii. Existing members have indicated the preference would be for the Council to continue provision of a Chair for the Board for 12 months, in the first instance, to support continuity.
- iv. The Singular Delivery Unit to transition into multi stakeholder Delivery Hubs for the collaboration, co-ordination, development and delivery of net zero and adaptation work programmes. These will plan, prioritise, drive implementation of the transition elements to meet Routemap, Net Zero strategies, Adaptation Framework targets/ outcomes.
- v. The transition to Delivery Hubs will be follow the development of the theme work programmes.

- vi. Communications between Delivery Hubs would be facilitated through 6 monthly meetings, to progress linked threads between themes including skills, monitoring, communication.
- vii. Council support with co-ordination, monitoring and reporting for city place based climate work remains through a Core Co-ordination Group.

### **Developing work programmes**

- 3.11 The governance proposals recognise that many projects/ initiatives contributing to net zero and climate resilience in Aberdeen will already have their own governance, approval mechanisms and project pipelines.
- 3.12 The development of net zero and adaptation work programmes across key themes will be prioritised and progressed in 2023. This will be done by bringing together stakeholders relevant to those themes through facilitated means to collate information on what is already happening, identify areas to prioritise activity, address gaps and develop collaborative actions.
- 3.13 An approach to developing these collaborative work programmes and engaging potential Delivery Hub stakeholders will be piloted commencing with the Circular Economy theme.
- 3.14 Zero Waste Scotland are providing funding for a contractor to design and facilitate a series of circular economy theme workshops for relevant Net Zero Aberdeen partners and wider stakeholders. These workshops are expected to take place before the end of March 2023 and outputs will include a list of priority projects for those involved to take forward. The pilot will test an approach to developing the work programmes and where successful learning, will be applied to developing the work programmes for the other net zero and adaptation theme areas.
- 3.15 An Aberdeen Climate and Nature Pledge scheme was launched in November 2022. This invites organisations to make a commitment to acting on climate change; collaborate to reduce emissions, build climate resilience; and join the collective journey expressed in Net Zero Aberdeen and Aberdeen Adapts. Information and opportunities to join events and workshops and get involved will be shared with signatories of the pledge.
- 3.16 There is already a wide range of Council and Council partnership projects contributing to place-based climate action in Aberdeen. These projects and the pipeline of any additional Council and Council partnership projects contributing directly or indirectly to Net Zero Aberdeen or Aberdeen Adapts will continue to go through internal approval processes, where applicable relevant governance mechanisms and report to the relevant Council committees.
- 3.17 As work emerges it will be a complex and active picture. UK Government has approved funding through the Aberdeen City Council Shared Prosperity Fund Investment Plan for software to help model emission scenarios and identify key areas for place-based climate activity. This will provide an accessible platform to enable high level oversight of Council, wider partner and emerging transition elements, supporting collaborative climate work.



#### 4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications from this report.
- 4.2 However, there is a need to identify external funding and resource opportunities and work with partners to investigate options for alternative finance and funding mechanisms for place-based net zero and adaptation to support the delivery of partnership activity.

#### 5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.
- 5.2 Work towards emission reduction targets under Net Zero Aberdeen and adaptation goals under Aberdeen Adapts contributes to the Council’s and other public bodies duties under Part 4 of the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

#### 6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The recommendations in this report will have a positive impact on the development and delivery of place-based climate actions to support emission reduction and the delivery of city net zero targets and on climate resilience supporting adaptation goals.
- 6.2 The governance model will enable improved dialogue among stakeholders on the environment, reducing risk of duplication and maximising opportunities to deliver actions.

#### 7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council’s Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	Failure where the Council has scope of influence to contribute to place based targets for Net Zero and	Strengthened place-based governance approach. Place-based climate risk included in the Corporate Risk Register.	M	Yes

	adaptation goals.			
<b>Compliance</b>	Failure to contribute to the delivery of national targets/ programmes.	Strengthened place-based governance approach.	L	<b>Yes</b>
<b>Operational</b>	Failure to support the governance structure.	Use of climate project and scenario tools. Ongoing support for the delivery of collaborative place based climate work programmes.	L	<b>Yes</b>
<b>Financial</b>	No direct financial risk.	Assess appropriate funding mechanisms, relevant to project priorities, including opportunities for economies of scale	L	<b>Yes</b>
<b>Reputational</b>	Failure to support the governance structure.	Council Core Co-ordination Group in place for place based climate work.	M	<b>Yes</b>
<b>Environment / Climate</b>	Risk to the delivery of Net Zero Aberdeen & Aberdeen Adapts.	Ongoing support for the delivery of collaborative place based climate work programmes; as well as the Council project pipeline	M	<b>Yes</b>

## 8. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN 2022-2023</u></b>	
<b>Impact of Report</b>	
<b>Aberdeen City Council Policy Statement</b>  <u><a href="#">Working in Partnership for Aberdeen</a></u>	The proposals within this report support the delivery of the aspects of the policy statement, where the Council has scope to influence - to work with partners to deliver a just transition to net zero and plan to make Aberdeen a net-zero city.
<b><u>Aberdeen City Local Outcome Improvement Plan</u></b>	
Prosperous Place Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcome 13. Addressing climate change by reducing Aberdeen's carbon emissions by at least 61% by 2026 and adapting to the impacts of our changing climate.  The paper seeks approval for the development of the existing city climate governance model which supports the LOIP key driver 13.1 Reducing

	emissions across the city through delivery of Aberdeen's Net Zero Vision & Routemap.
<b>Regional and City Strategies</b>	The proposals within this report support the Net Zero Aberdeen Routemap; Net Zero Buildings and Heat Strategy; Net Zero Energy Supply Strategy; Net Zero Mobility Strategy; Net Zero Circular Economy Strategy; Net Zero Natural Environment Strategy; Net Zero Empowerment Strategy; Aberdeen Adapts: Climate Adaptation Framework.

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	Full impact assessment not required
<b>Data Protection Impact Assessment</b>	Not required
<b>Other</b>	Not required

## 10. BACKGROUND PAPERS

- 10.1 [COM/20/099](#) Net Zero Vision and Infrastructure Plan Governance
- 10.2 [COM/22/504](#) Climate Change – Citywide Strategy and Council Carbon Budget
- 10.3 [COM/22/277](#) Place Based Investment Programme and UK Shared Prosperity Fund

## 11. APPENDICES

- A. Terms of Reference - Net Zero and Adaptation Governance Framework.

## 12. REPORT AUTHOR CONTACT DETAILS

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## Terms of Reference: Governance Arrangements

<b>Title</b>	Net Zero Aberdeen/ Aberdeen Adapts Governance Framework		
<b>Groups</b>	Net Zero and Adaptation Board/ Delivery Hubs		
<b>Lead</b>	David Dunne		
<b>Date</b>	22 February 2023	<b>Version</b>	V0.1

### Purpose

[Urgent Business Committee](#) 30 June 2020 approved Terms of Reference for place-based climate governance including:

- A **Leadership Board**: collective leadership of the drive to a net zero city.
- A **Delivery Unit**: co-ordinating place-based actions to drive emission reduction and build climate resilience.

The Net Zero Aberdeen Routemap and refresh of Aberdeen Adapts Climate Adaptation Framework were approved at Council on 28 February 2022. Now these are in place this refreshed Governance Framework has been produced to support the development of work programmes and the implementation stage of the Routemap and Framework. They cover net zero and adaptation and consists of:

- A **Net Zero and Adaptation Board**: providing leadership, advice and scrutiny to support the city transition to net zero and to increase climate resilience.
- **Delivery Hubs**: driving the direction and implementation. Identifying the net zero and adaptation pathways and priorities for Aberdeen.
- **Core Co-ordination Group**: Council officer support, co-ordination, monitoring and reporting.

## Remit and Responsibilities – Net Zero and Adaptation Board

### Remit:

1. Track and review collective city-wide progress towards meeting Aberdeen’s emissions targets.
2. Strengthen the local evidence base and knowledge transfer for net zero and climate resilience.
3. Provide scrutiny to the transition elements to reduce duplication and foster synergy between Hub workstreams.
4. Monitor progress against theme milestones and make recommendations to the Delivery Hubs.
5. Prepare and endorse revisions/ subsequent versions of the Net Zero Aberdeen Routemap and Aberdeen Adapts.
6. Articulate the ambition of the city to the UK Government and the Scottish Government, making clear the scope and scale of the transition opportunity in Aberdeen and the resilience requirements.
7. Champion the Aberdeen Climate and Nature Pledge, Net Zero Vision, Net Zero Aberdeen Routemap, Net Zero enabling strategies and Aberdeen Adapts.
8. Host (at least) one significant engagement activity a year for the network of pledge signatories, bringing together a diverse range of organisations from across the city to share information and good practice on emissions reduction and climate adaptation.
9. Disseminate information/ liaise with external delivery mechanisms and relevant city and regional partnerships – indicating opportunity to deliver on other social, economic and environmental objectives.
10. Support the development of skills and supply chains required to facilitate delivery.
11. Examine mechanisms for finance and funding of net zero and adaptation commitments; as well as articulate the case for investment in Aberdeen’s net zero transition and adaptation plans.
12. Any other specific roles and responsibility to be agreed by Board members.

### Membership:

- The Chair/ Vice-Chair to lead the Net Zero and Adaptation Board, approve agenda, chair meetings.
- For the first year the Chair will be held by an Aberdeen City Council Elected Member. Thereafter the Chair and Vice-Chair will be appointed by Board members and subject to re-appointment every 12 months.
- Members should be independent from the Delivery Hubs.
- Membership should not be static and there should be balanced membership across priority themes. Further membership appointments must be agreed by the Board, as per indicative membership.
- Where appropriate, the Board can invite and seek advice from relevant expert(s) and existing local partnership(s).
- Wherever possible Board organisations should be signatories of the Aberdeen Climate and Nature pledge
- Quorum – 7 members including the Chair or Vice Chair should be present for Board meetings to take place.

### Remit and Responsibilities – Net Zero and Adaptation Board

- A minimum of 2 Board meetings should take place annually.

#### Indicative minimum Membership

- Chair
- Vice-Chair
- 2 x energy
- 1 x skills/ industry representative
- 2 x further education
- 2 x mobility representative
- 2 x built/ infrastructure sector
- 2 x natural environment
- 1 x community
- Young person representative
- 2 x members Core Co-ordination Group (support)

### Remit and responsibilities – Delivery Hubs

#### Remit:

1. Develop, prioritise and co-ordinate delivery of work programmes, within their theme Delivery Hub, to ensure progress in support of the Routemap and Framework.
2. Bring together the expertise and experience to support work programme requirements.
3. Liaise with other Delivery Hubs, where relevant to the development and delivery of work programmes.
4. To provide quarterly progress updates to the Board.
5. Seek expertise/ specialist technical info/ support to facilitate the development of the Hub Work Programmes.
6. Develop detailed action based collaborative work programmes for each hub. Identifying current activity, city priorities and addressing gaps with a pipeline of projects targeting key city priorities for emission reduction and climate adaptation. Indicative Delivery Hubs:
  - a) Buildings, Infrastructure Hub
  - b) Mobility Hub

- c) Energy Supply Hub
- d) Circular Economy Hub
- e) Natural Environment Hub
- f) Empowerment Hub
- g) Adaptation Hub

7. Examine funding routes relevant to Delivery Hub work programmes.
8. Make recommendations to the Board and respond to recommendations from the Board.
9. Identify/ develop the technical competencies required to support analysis/ delivery of the transition.
10. Communications between Delivery Hubs to be facilitated through 6 monthly meetings/ events.

**Membership:**

- Membership to be developed alongside facilitated theme work programme development.
- Membership can be expanded from the network of pledge signatories.
- Where relevant, use can be made of existing Boards/ Groups to avoid duplication.

**Support Arrangements – Core Co-ordination Group**

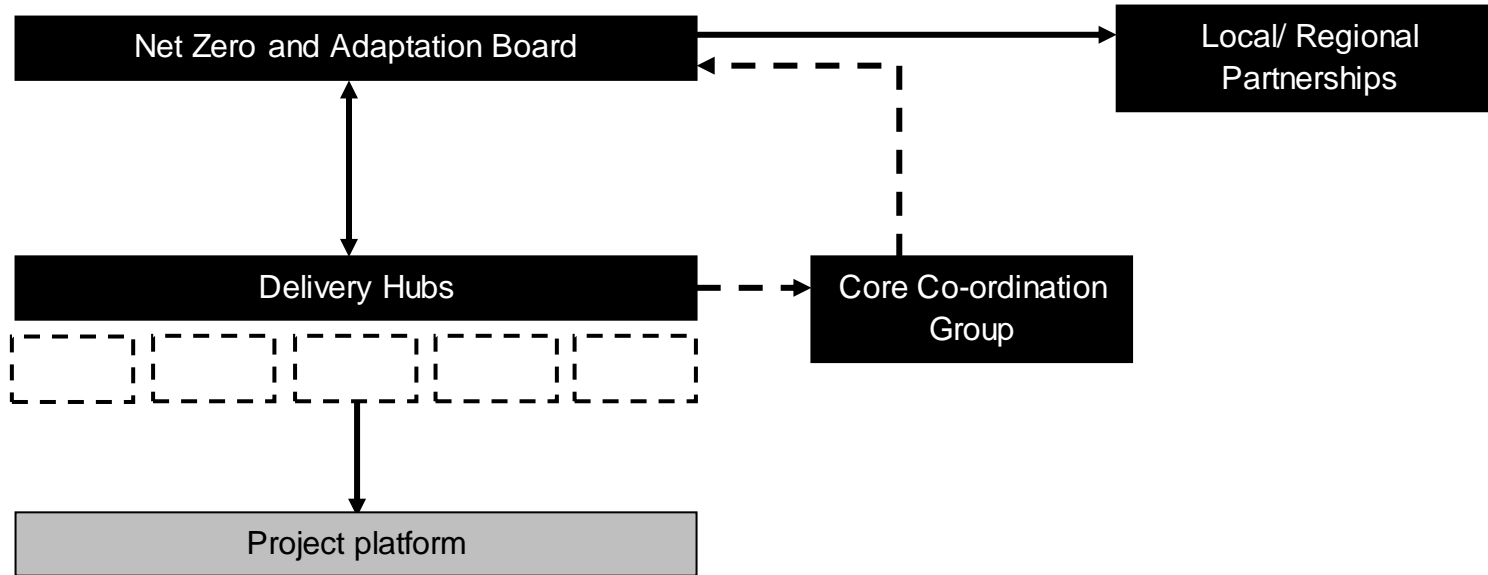
**Remit:**

1. Produce a baseline emissions inventory/ monitoring emissions inventory, liaising with organisations to support this.
2. Establish a framework/ appropriate tools for project and data monitoring and scenario modelling.
3. Provide advice/ guidance on climate change mitigation and adaptation where required to the Delivery Hubs.
4. Provide updates on place-based climate risks and climate projections.
5. Produce an annual progress report/ infographic on progress with Net Zero Aberdeen and Aberdeen Adapts.
6. Prepare agendas, minutes and supporting papers/ information for the Board, in agreement with Chair. All papers to be shared with Board members a minimum of 5 days ahead of meetings.
7. Promote, encourage sign up and provide admin for the Pledge scheme.
8. Develop a network of pledge signatories to build a sense of common ownership and shared responsibility exchange ideas.
9. Co-ordinate Network events for pledge signatories; engagement and publicity activities for Net Zero Aberdeen and Aberdeen Adapts.
10. Update the microsite.

**Membership: Council officers.**



## Governance Framework



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## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Council
<b>DATE</b>	22 February 2023
<b>EXEMPT</b>	No Appendices 2, 3 & 4 exempt under Paragraph 8
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Work Plan & Business Cases – Revenue
<b>REPORT NUMBER</b>	COM/23/055
<b>DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	Craig Innes
<b>REPORT AUTHOR</b>	Mel Mackenzie
<b>TERMS OF REFERENCE</b>	24

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present procurement work plans where expenditure is included for the Children’s and Family Services and Resources Functions to Council for review and to seek approval of the total estimated expenditure for the proposed contracts as contained in the Procurement Business Cases appended to the report.

### 2. RECOMMENDATIONS

That Council: -

- 2.1 reviews the workplan as detailed in the Appendices for the Children’s and Family Services and Resources Functions; and
- 2.2 approves the procurement business cases, including the total estimated expenditure for the proposed contracts.

### 3. CURRENT SITUATION

- 3.1 The ACC Procurement Regulations 2022 require that authority to incur expenditure must be sought prior to any invitation to tender or contract entered into. The method of authorising depends upon the contract value, with contracts above £50,000 (supplies/services) or £250,000 (works) to be listed on a workplan with an associated Procurement Business Case and submitted by the relevant Chief Officer to the Finance and Resources Committee (approval of contracts with a value under £1,000,000) and to Council (approval of contracts with a value over £1,000,000). The approval of the applicable body is required prior to the procurement being undertaken.
- 3.2 Council is asked to review the Children’s and Family Services and Resources Functions work plans and to approve the expenditure detailed in the Procurement Business Cases appended to the report.

#### 4. FINANCIAL IMPLICATIONS

4.1 The indicative value of each of the proposed contracts is shown within the workplans and in the Appendices. The ability to have an overview of contract expenditure is aligned to Core Outcomes of the LOIP and the whole systems commissioning cycle approach. The robust approach to governance ensures that all contracts are aligned to the approved budget provision for each financial year with controls in place for flexibility if required. This also assists the Council in meetings its statutory duty to keep a Contracts Register.

#### 5. LEGAL IMPLICATIONS

5.1 The contracts shall be procured in accordance with procurement legislation and the Commercial Legal Team within C&PS shall provide legal advice where necessary, legal commentary has been sought and is included within each Procurement Business Case.

#### 6. ENVIRONMENTAL IMPLICATIONS

6.1 Consideration is included within each Procurement Business Case as to how the proposed contract will support the Council's climate commitments. If these are not to be included, officers are asked to confirm why this is the case. Standard wording is included in procurement templates to ensure this is captured at tender stage through to awarded contract.

#### 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls, control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	Contract expectations not being monitored or managed.	Contract Management consideration in business cases, guidance and training available for officers.	M	Yes
<b>Compliance</b>	Failure to comply with internal procurement regulations and procurement legislation	Robust process for review of individual business cases and proposed approach to procurement.	L	Yes

<b>Operational</b>	Unable to control demand	Robust process and focus on demand reduction strategies, contract terms developed to be more flexible.	L	Yes
<b>Financial</b>	Escalation of costs  Differing market conditions depending on commodity or service	A strong focus on value for money in all commissioning activities and market engagement or use of Business Intelligence to engage with market / ascertain changes/trends.	M	Yes
<b>Reputational</b>	Insufficient information provided by officers, lack of transparency.	Robust process for review of individual business cases and proposed approach to procurement.	L	Yes
<b>Environment/ Climate</b>	Failure to consider sustainable options.	Environmental consideration within business cases and environmental clauses within tender documents.	L	Yes

## 8. OUTCOMES

<u><b>COUNCIL DELIVERY PLAN</b></u>	
<b>Impact of Report</b>	
<b>Aberdeen City Council Policy Statement</b>	The ability to have an overview of contract expenditure is aligned to Core Outcomes of the LOIP and the whole systems commissioning cycle approach.
<b>Aberdeen City Local Outcome Improvement Plan</b>	
Stretch Outcomes (Prosperous Economy/People/Place)	Community Benefits, Fair Work and Climate requirements are incorporated into all ACC Procurement Activity, consideration is given to the Stretch Outcomes within the LOIP at the development phase.
<b>Regional and City Strategies</b>	Details of anticipated outcomes and how they support key strategies are contained within the business case(s) attached.

<b>UK and Scottish Legislative and Policy Programmes</b>	Details of the legislative and policy programmes to be complied with is contained within the business case(s) attached.
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## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	Not required
<b>Data Protection Impact Assessment</b>	Not required
<b>Other</b>	Not required

## 10. BACKGROUND PAPERS

None

## 11. APPENDICES

### Public

Appendix 1\_Final Revenue \_Work Plans\_PUBLIC\_Council\_230223

### Private

Appendix 2\_Final Revenue \_Work Plans\_PRIVATE\_Council\_230223

Appendix 3\_Business Case Scotland Excel Framework Residential Care, Education, Short Breaks and Day Education (1221)

Appendix 4\_Business Case\_Trades and Drivers Agency Framework

## 11. REPORT AUTHOR CONTACT DETAILS

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<b>Tel</b>	07795 316388

Children's and Families Services Work Plan	Committee: Council	Date of Committee: 22 February 2023
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Reference	Function	Cluster	Description of Requirement	Type of Budget	Estimated Start date of Contract or Extension	Estimated End date of Contract (Excluding extension)	Maximum Extension Period (months)	Estimated End date of Contract (Including extension)	Summary
000-LYDT4939	Children's and Families Services	Children's and Families Services	Scotland Excel National Framework Agreement for Residential Care, Education, Short Breaks and Day Education (1221)	Revenue	01/10/2022	30/09/2028	0	30/09/2028	Scotland Excel framework for local authorities to purchase residential care, residential care and education, short breaks and day education services for children and young people. The primary function of these services is to provide a safe and secure environment for children and young people who are 'Looked After' as defined by the relevant legislation, such as, for example, the Children and Young People (Scotland) Act 2014.

Resources Work Plan	Committee: Council	Date of Committee: 22 February 2023
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Reference	Function	Cluster	Description of Requirement	Type of Budget	Estimated Start date of Contract or Extension	Estimated End date of Contract (Excluding extension)	Maximum Extension Period (months)	Estimated End date of Contract (Including extension)	Summary
000-GTCF2864	Resources	Operations & Protective Services	Building Trades and Driver Agency Framework Agreement	Revenue / HRA	24/07/2023	23/07/2027	0	23/07/2027	The establishment of this framework will meet the needs of the Council for the provision of appropriately qualified temporary building trades workers and drivers in line with the requirements of relevant Services i.e. Building Services, Waste.



## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Council
<b>DATE</b>	22 February 2023
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Treasury Management Policy
<b>REPORT NUMBER</b>	RES/23/048
<b>DIRECTOR</b>	Steven Whyte
<b>CHIEF OFFICER</b>	Jonathan Belford
<b>REPORT AUTHOR</b>	Neil Stewart
<b>TERMS OF REFERENCE</b>	5 and 6

### 1. PURPOSE OF REPORT

- 1.1 To outline the Council's Treasury Management Policy for 2023/24 to 2025/26, for approval.

### 2. RECOMMENDATION

That Council: -

- 2.1 Approve the Council's Treasury Management Policy, including the Treasury Management Policy Statement, Borrowing Policy, Investment Policy and Counterparty list, for 2023/24 to 2025/26 as detailed at Appendix 1.

### 3. CURRENT SITUATION

#### Introduction

- 3.1 The Council approved a Treasury Management Policy for the financial years 2021/22 to 2023/24 on 28 February 2022. Part of this policy is to report annually on a policy which covers future financial years. A final report reviewing Treasury Management activities for the year, as well as a mid-year review report, will also be presented to full Council, in due course.
- 3.2 Councils are required by the Local Government Capital Expenditure Limits (Scotland) Regulations 2004 to have regard to the Prudential Code for Capital Finance in Local Authorities ("the Code") when carrying out their duties under part 7 of the Local Government in Scotland Act 2003.
- 3.3 It is a requirement of this Code that Treasury Management is carried out in accordance with good professional practice. The Code requires compliance with the CIPFA "Code of Practice for Treasury Management in the Public Services", which this Council does. The CIPFA Code of Practice states that Treasury Management reports must be approved by full Council.

- 3.4 Historically, the Council's annual programme of capital investment has been funded by Treasury Management activities, such as additional long-term borrowing.

### **Treasury Management Policy 2023/24 to 2025/26**

- 3.5 The proposed Treasury Management Policy for 2023/24 to 2025/26 is set out in detail at Appendix 1 and is subject to annual review. The policy has been slightly revised to align with the latest versions of both the CIPFA Code of Practice for Treasury Management in the Public Services, and the Prudential Code for Capital Finance in Local Authorities.

### **Treasury Management Policy Statement 2023/24 to 2025/26**

- 3.6 The proposed Treasury Management Policy Statement for 2022/23 to 2024/25 is set out in detail in Appendix 1, Section 5.1, for approval. The Policy Statement uses a form of words as recommended by CIPFA in its Code of Practice for Treasury Management in the Public Services.

### **Borrowing and Investment Policies 2023/24 to 2025/26**

- 3.7 There are no key changes within either the Council's Borrowing or Investment Policies for 2023/24 to 2025/26.
- 3.8 The Council's proposed Borrowing Policy for 2023/24 to 2025/26 is set out in detail at Appendix 1, Section 5.2 for approval. The Council's proposed Investment Policy for 2023/24 to 2025/26 is set out in detail at Appendix 1, Section 5.4 for approval.
- 3.9 The process of setting these policies takes account of the pre-existing structure of the Council's debt and investment portfolios. The limits on fixed rate debt and variable rate debt within this Treasury Management policy may be subject to further change, in line with market conditions. However, any such change to these limits would be reported to Council.
- 3.10 One of the key areas of the Local Government Investments (Scotland) Regulations 2010 (the "investment regulations") is permitted investments. Under the regulations and the associated Finance Circular 5/2010, local authorities are required to set out in their policy the types of investment that they will permit in the financial year. These are known as permitted investments. The Council is required to set a limit to the amounts that may be held in such investment types at any time in the year, although some types of investment may be classed as unlimited, e.g., Bank deposits (subject to individual Counterparty list limits).
- 3.11 Permitted Investment instruments identified for use in the financial years 2023/24 to 2025/26 are listed in Appendix 1, Section 5.5.

The Investment Policy is also required to identify: -

- the different types of risk that each permitted type of investment is exposed to;

- the objectives for each type of permitted investment;
- details of the maximum value and maximum period for which funds may prudently be invested; and
- procedures for reviewing the holding of longer-term investments

### **Counterparty List**

- 3.12 The Council, as part of its Treasury Management Policy, has an approved listing of banks and other financial institutions (the Counterparty list) with which it can undertake short-term money investments.
- 3.13 The Council's Counterparty list is compiled using credit rating information supplied by the major credit rating agencies to Link Asset Services, the Council's appointed Treasury Management advisors.
- 3.14 The Counterparty list was last updated on 28 February 2022, and is attached at Appendix 1, Section 5.7, for approval.

### **CIPFA Code of Practice for Treasury Management in the Public Services**

- 3.15 A revised version of the Treasury Management Code of Practice was issued by CIPFA in December 2021, which takes effect from 1<sup>st</sup> April 2023. This latest revision includes some slight changes to practices. Most of the changes to the Code were around borrowing for purely commercial purposes, which this Council does not do.

### **The Prudential Code for Capital Finance in Local Authorities**

- 3.16 Similarly a revised version of the Prudential Code was issued by CIPFA in December 2021. Again, this revision features some changes to prudential indicator reporting with effect from 1<sup>st</sup> April 2023
- 3.17 The Council's Capital Strategy will demonstrate that the Council takes capital expenditure and investment decisions in line with service objectives and properly takes account of stewardship, value for money, prudence, sustainability and affordability. The Capital Strategy will also set out the long-term context in which capital expenditure and investment decisions are made and give due consideration to both risk and reward and impact on the achievement of priority outcomes.
- 3.18 The Capital Strategy will be developed, reported for approval and implemented in due course.
- 3.19 The ability for the Council to set the scope and size of its capital plans remains unrestricted, but the prudential system processes have been strengthened to set out greater consideration of prudence, with sustainability and risk reporting to be improved through governance procedures.
- 3.20 The Council remains required to comply with the requirements of the Prudential Code. This includes the setting of several Prudential Indicators.

- 3.21 Included within these indicators are several Treasury Management Indicators for External Debt boundaries. The Code does state “It will probably not be significant if the operational boundary is breached temporarily on occasions due to variations in cash flow. However, a sustained or regular trend above the operational boundary would be significant and should lead to further investigation and action as appropriate”.
- 3.22 The Council has in place an early warning system to highlight when these indicators are likely to be breached. No indicators were breached during the previous year.
- 3.23 The Prudential Indicators 2023/24 to 2027/28 will be considered and approved by Council at its budget meeting on 1<sup>st</sup> March 2023.

### **National Limit on Local Authority Borrowing**

- 3.24 HM Treasury has a reserve power to limit local authority borrowing for 'national economic reasons'. Legislation specifies that any such 'National Limit' would be used to protect the country's economic interest if local borrowing under the Prudential Code, albeit prudent locally, were unaffordable nationally.
- 3.25 In principle, a national limit could be set at any point during any financial year. Any such national limit would be implemented, based on local authorities outstanding borrowing with all future borrowing being reduced proportionately. There are no known plans for the introduction of a national limit.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 Treasury Management activities influence the loans pool interest rates and aims to minimise the cost of borrowing. This directly impacts on costs chargeable to the Council's revenue budgets through the interest rates that are applied to capital financing costs. Whilst the level of borrowing a Council can undertake is now devolved from the Scottish Government to individual Councils, it will still be constrained by the requirement for capital investment to be affordable, sustainable and prudent. The main test of affordability will be whether the capital financing costs can be contained within the revenue budgets.

## **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report, however it should be noted that the issuance of the Bonds requires the Council to comply with the Market Abuse Regulations, the Disclosure and Transparency Rules, the Listing Rules and ongoing obligations as set out in the London Stock Exchange Admission and Disclosure Standards.

## **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

## 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	No significant risks identified			
<b>Compliance</b>	No significant risks identified			
<b>Operational</b>	No significant risks identified			
<b>Financial</b>	Loss of deposit in a failed bank or financial institution	The Council has strict lending criteria, only financial institutions with the highest credit ratings are included on the Council's Counterparty list. The list is compiled in conjunction with the Council's Treasury	L	Yes
<b>Reputational</b>	No significant risks identified			
<b>Environment / Climate</b>	No significant risks identified			

## 8. OUTCOMES

8.1 The proposals in this report have no impact on the Council Delivery Plan

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Impact Assessment</b>	Full impact assessment not required
<b>Data Protection Impact Assessment</b>	Not Required

## 10. BACKGROUND PAPERS

10.1 CIPFA "Code of Practice for Treasury Management in the Public Services ";  
CIPFA "The Prudential Code for Capital Finance in Local Authorities";  
Link Asset Services "Treasury Management Annual Investment Strategy";  
Scottish Government "The Investment of Money by Scottish Local Authorities".

## 11. APPENDICES

11.1 Appendix 1 - Treasury Management Policy for 2023/24 to 2025/26

## 12. REPORT AUTHOR CONTACT DETAILS

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# Treasury Management Policy: Borrowing and Investment

Approved by Council on XX

## Document Control

<b>Approval Date</b>	22/02/2023
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<b>Scheduled Review</b>	Annually
<b>Changes</b>	Policy updated to reflect changes to CIPFA's Code of Practice & Prudential Code.



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## 1. Purpose Statement

- 1.1 This policy outlines the Council's approach to its Treasury Management activities, including Borrowings and Investments, for financial years 2023/24 to 2025/26. The policy is subject to an annual review.
- 1.2 The policy statement uses a form of words as recommended by CIPFA in its Code of Practice for Treasury Management in the Public Services.

## 2. Application and Scope Statement

- 2.1 The policy sets out the framework that which the Council's Borrowing and Investment strategies will work within.
- 2.2 Treasury Management activities influence the loans pool interest rates and aims to minimise the cost of borrowing. This directly impacts on costs chargeable to the Council's revenue budgets through the interest rates that are applied to capital financing costs.

## 3. Responsibilities

- 3.1 It shall be the responsibility of the Chief Officer - Finance, or designated officer, to ensure that this policy is kept up to date and is monitored for its effectiveness. The policy shall be reviewed annually to take account of changes in regulations, statute or professional guidance.
- 3.2 The Chief Officer - Finance, as the "Proper Officer", in terms of Section 95 of the Local Government (Scotland) Act 1973, shall be the adviser on financial matters to the Council and all its Committees. S/he shall be responsible for the proper administration of the Council's financial affairs.
- 3.3 The policy is implemented and applied on a day-to-day basis by the Accountant (Treasury).

## 4. Supporting Procedures & Documentation

- 4.1 The Council is required by the Local Government Capital Expenditure Limits (Scotland) Regulations 2004 to have regard to the Prudential Code for Capital Finance in Local Authorities ("the Code") when carrying out its duties under part 7 of the Local Government in Scotland Act 2003.
- 4.2 It is a requirement of this Code that Treasury Management is carried out in accordance with good professional practice. The Code requires compliance with the CIPFA "Code of Practice for Treasury Management in the Public Services", which the Council does. The CIPFA Code of Practice states that Treasury Management Strategy reports must be approved by full Council.

4.3 The latest version of the Treasury Management Code of Practice was issued by CIPFA in December 2021. The Treasury Management Policy Statement, Borrowing and Investment Strategy documents contained within this report have been prepared in line with this.

4.4 CIPFA's Code of Practice recommends that Treasury Management policy should be reported to full Council at least annually. A year-end report reviewing Treasury Management activities for the year, and a mid-year review, are also presented to full Council, as per CIPFA's recommendations.

## 5. Policy Statement

### 5.1 TREASURY MANAGEMENT POLICY STATEMENT FOR 2023/24 TO 2025/26

Aberdeen City Council will adopt the CIPFA Treasury Management in the Public Services Code of Practice. The Council will also have regard to the Local Government Investment (Scotland) Regulations 2010.

The Council defines its treasury management activities as:

*The management of the organisation's borrowings, investments and cash flows, including its banking, money market and capital market transactions, the effective control of the risks associated with those activities, and the pursuit of optimum performance consistent with those risks.*

The Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organization and any financial instruments entered into to manage these risks.

The Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.

The Council's appointed Treasury Advisors are Link Asset Services. Their expertise will continue to be used by the Council in making Treasury decisions in areas such as debt rescheduling, interest rate forecasts, market conditions, advice on new types of financial instruments and compiling the Council's Counterparty list.

### 5.2 BORROWING POLICY FOR 2023/24 TO 2025/26

Under the Prudential Code previous borrowing restrictions linked to consents no longer apply. With Public Works Loans Board (PWLB) rates at historic low levels in periods from 40 to 50 years, our policy would be to borrow, if required, in these periods to take advantage of those rates. Rates are monitored on an on-going basis to determine the

optimum time to undertake any necessary borrowing. When decisions on new borrowing are being made, due consideration must also be given to the Council's Debt Maturity Profile.

Approximately 55% of the Council's borrowing is in long-term fixed rate PWLB loans. Whilst there is no immediate intention to reschedule these debts, if opportunities arise to do so that will result in a decrease in the Council's cost of borrowing then these will be fully examined to determine whether this represents Best Value. Due care and attention to IFRS 9 will be examined prior to entering any such commitment.

It is recommended that the Council sets an upper limit on its fixed interest rate exposures for 2023/24, 2024/25 and 2025/26 of 100% of its net outstanding principal sums.

It is further recommended that the Council sets an upper limit on its variable interest rate exposures for 2023/24, 2024/25 and 2025/26 of 30% of its net outstanding principal sums. This means that the Chief Officer - Finance will manage fixed interest rate exposures within the range 30% to 100% and variable interest rate exposures within the range 0% to 30%.

It is recommended that the Council sets upper and lower limits for the maturity structure of its borrowing as follows:

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate:

	<u>Upper limit</u>	<u>Lower limit</u>
Under 12 months	20%	0%
12 months and within 24 months	20%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	75%	0%
10 years and above	90%	25%

The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be considered carefully to ensure value for money can be demonstrated and that the Council can ensure the security of such funds.

### 5.3 STATUTORY REPAYMENT OF LOANS FUND ADVANCES

The Council is required to set out its policy for the statutory repayment of loans fund advances prior to the start of the financial year. The repayment of loans fund advances ensures that the Council makes a prudent provision each year to pay off an element of the accumulated loans fund advances made in previous financial years.

For Loans Fund balances outstanding as at 1 April 2019, the policy will be to adopt a simplified prudent approach that uses an average Loans Fund repayment period of 40 years, applying an annuity method. The interest rate used for the annual repayment will

be 5%, with this being the average consolidated rate on the Councils external borrowing for the period 2003/04 to 2018/19.

The average life and average interest rate will be kept under review each year to ensure they remain prudent.

The policy is subject to the following details:

- An average Asset life for the year's total advances will normally be used. There will not be separate schedules for the components of a building (e.g. plant, roof etc).
- The Average Asset Life will be determined by the Chief Officer - Finance.
- The interest rate used in the annuity calculation will be determined by the Chief Officer - Finance.
- Loans Fund Repayments will commence in the year following the year in which capital expenditure financed from borrowing is incurred, except for assets under construction where repayments will be deferred until the year after the asset becomes operational.
- Other methods to provide for debt repayment may occasionally be used in individual cases where this is consistent with the statutory duty to be prudent, as justified by the circumstances of the case, at the discretion of the Chief Officer - Finance.
- If appropriate, shorter repayment periods (i.e. less than the asset life) may be used for some or all new borrowing.
- The policy will aim to support the maintenance of a balanced and sustainable HRA business plan.
- Where revenue contributions or specific grants are received from government or other sources that can be associated with the debt financing costs of capital investment, then the repayments will be profiled in line with the income profile (e.g. TIF, City Deal). These will be kept under review to ensure the provision for repayment remains prudent.
- The Council may make additional voluntary debt repayment provision from revenue or capital resources. In this case, the Chief Officer - Finance may make an appropriate reduction in later years' levels of Loans Fund Repayments.

The policy was previously approved by the City Growth & Resources Committee on 25 April 2019 and can be viewed via the following link:

<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=618&MId=6191&Ver=4>

#### 5.4 INVESTMENT POLICY FOR 2023/24 TO 2025/26

The Council's investment priorities are: -

- (a) the security of capital and
- (b) the liquidity of its investments.

The policy is designed to ensure that the Council complies with all applicable legislation and regulation relating to the management of portfolio liquidity risk and has robust controls in place to protect the financial soundness of this Council.

The policy must be read in conjunction with all applicable operational policies. The policy is aligned with the low risk appetite of this Council and fundamentally with the two key

principles of preservation of capital and guarantee of liquidity of the investments. The policy has also been designed to provide the Council with the flexibility to obtain an adequate return on its investments in line with predefined levels of security and liquidity.

The Council's approved counterparty list will be adhered to when making short-term investments and reviewed as necessary. This ensures that only those counterparties with the highest credit ratings are used within the maximum limits set. If it is considered necessary to make any changes to the list Committee approval will be sought.

Prior to the introduction of the current investment regulations, investments made by Scottish local authorities were limited to one year. This restriction was removed from 1st April 2010 and the Council accordingly has used these powers when such investing is both appropriate and attractive, while respecting the key principles of preservation of capital and guaranteeing the liquidity of the investments.

Rates offered by approved counterparties are to be monitored on an on-going basis to determine the optimum time to undertake any investments. When decisions on new investments are being made, due consideration must also be given to the Council's projected cashflow position.

The Local Authority investment market may develop new investment products, in line with current investment regulations. In order to protect against any possible loss of income, the power to add a new investment instrument to the list of Permitted Investments, should be delegated to the Chief Officer - Finance. Any such approval would be reported at the next full Council meeting.

Liquidity of its investments is a key priority of the Council. To ensure good availability of liquidity for cashflow purposes, no more than 50% of the Council's available investments should be placed in longer-term, fixed rate investments. The remainder will be kept in highly liquid investments and invested on a short-term basis, using either Bank deposits or "Aaa"/"AAA" rated Money Market Funds.

Any change in the level of liquidity held will require approval from the Chief Officer - Finance and will be reported at the next full Council meeting.

The level of liquidity required at any given time will be based on several factors, including:

- (a) the Council's cashflow requirements over the months ahead. This would include any known payments to third parties, loan repayments etc.
- (b) the level of surplus funds administered on behalf other bodies such as the Pension Fund, ALEOs and Trusts, as these funds may be called back at any time by the bodies.
- (c) any payment with regards to capital projects which may require financing at short notice.

## 5.5 LIST OF PERMITTED INVESTMENTS

This Council approves the following forms of investment instrument for use as permitted investments: -

DEPOSITS - Unlimited (subject to individual Counterparty list limits)

- Debt Management Agency Deposit Facility
- Term deposits – local authorities (as per Counterparty list)
- Call accounts – banks and building societies (as per Counterparty list)
- Term deposits – banks and building societies (as per Counterparty list)
- Fixed term deposits with variable rate/maturities (Structured deposits, as per Counterparty list)

COLLECTIVE INVESTMENT SCHEMES - £250m

- Government Liquidity Funds
- Money Market Funds (subject to individual Counterparty list limits)
- Enhanced cash funds
- Gilt Funds
- Bond Funds
- Multi-Asset Funds

GOVERNMENT SECURITIES - £100m

- Treasury Bills
- UK Government Gilts
- Bond issuance (from financial institution guaranteed by UK Government)
- Bonds issued by multi-lateral development banks

CORPORATE SECURITIES - £10m

- Certificates of deposit (as per Counterparty list)

PERMITTED INVESTMENTS - NON-TREASURY INVESTMENTS

- The Council can also invest in the following areas, which are out with the Treasury Management scope and would be subject to separate committee approval: -
  - a) All shareholding, unit holding and bond holding, including those in a local authority owned company;
  - b) Investments for service purposes. This includes loans to a local authority company or other entity formed by a local authority to deliver public services, including Joint Venture entities;
  - c) Loans made to third parties;
  - d) Investment properties.

## 5.6 OBJECTIVES OF PERMITTED INVESTMENTS

DEPOSITS - The following forms of 'investments' are more accurately called deposits as cash is deposited in an account until an agreed maturity date or is held at call.

- Debt Management Agency Deposit Facility (DMADF) – This offers the lowest risk form of investment available to local authorities as it is effectively an investment placed

with the Government. As it is low risk it also earns low rates of interest. The longest period for a term deposit with the DMADF is 6 months.

- Term Deposits – This is the most widely used form of investing used by local authorities. It offers a much higher rate of return than the DMADF. In addition, longer term deposits offer an opportunity to increase investments returns by locking in high rates ahead of an expected fall in the level of interest rates.
- Call accounts – The objectives are as for Term Deposits, but with instant access to recalling cash deposited. This generally means accepting a lower rate of interest than that which could be earned from the same institution by making a term deposit. Use of call accounts is highly desirable to ensure that the authority has ready access to cash for liquidity purposes.
- Fixed term deposits with variable rate/maturities – This encompasses all types of structured deposits. There has been considerable change in the types of structured deposits brought to the market over the last few years, some of which are already no longer available. In view of the fluid nature of this area, this section allows flexibility to adopt new instruments as and when they are brought to the market.
- Deposits with Counterparties currently in receipt of government support/ownership – These banks offer another dimension of creditworthiness in terms of Government backing through either partial or full direct ownership. The view of this authority is that such backing makes these banks attractive institutions with whom to place deposits.

#### COLLECTIVE INVESTMENT SCHEMES -

- Money Market Fund (MMF) – By definition, MMFs are AAA rated and are widely diversified, using many forms of money market securities including types which this authority does not currently have the expertise or capabilities to hold directly. Money Market Funds can have either a constant net asset value (CNAV) or a low volatility net asset value (LVNAV).

Due to the high level of expertise of the fund managers and the huge amounts of money invested in MMFs, and the fact that the weighted average maturity (WAM) cannot exceed 60 days, MMFs offer a combination of high security, instant access to funds, high diversification and good rates of return compared to equivalent instant access facilities. They are particularly advantageous in falling interest rate environments as their 60-day WAM means they have locked in investments earning higher rates of interest than are currently available in the market.

MMFs also help an authority to diversify its own portfolio and offer an effective way of minimising risk exposure while still getting much better rates of return than available through the DMADF.

- Government Liquidity Funds – These are the same as money market funds (see above) but only invest in government debt issuance with highly rated governments. Due to



the higher quality of underlying investments, they offer a lower rate of return than MMFs. However, their net return is typically on a par with the DMADF, but with instant access.

- Enhanced cash funds – These funds are similar to MMFs, can still be AAA rated but have variable net asset values (VNAV). They aim to achieve a higher yield and to do this either take more credit risk or invest out for longer periods of time, which means they are more volatile.

These funds can have WAMs and Weighted Average Life (WALs) of 90 – 365 days or even longer. Their primary objective is yield and capital preservation is second. They therefore are a higher risk than MMFs and correspondingly have the potential to earn higher returns than MMFs.

- Gilt Funds – These are funds which invest only in UK Government gilts. They offer a lower rate of return than bond funds but are highly rated both as a fund and through investing only in highly rated government securities. They offer a higher rate of return than investing in DMADF, but they do have an exposure to movements in market prices of assets held.
- Bond Funds – These can invest in both government and corporate bonds. This therefore entails a higher level of risk exposure than gilt funds and the aim is to achieve a higher rate of return than normally available from gilt funds by trading in non-government bonds.
- Multi-Asset Funds – These funds contain a combination of asset classes (such as cash, equity or bonds) and therefore increase the diversification of an investment. This reduces risk/volatility but can also impact upon potential returns. Funds can be tailored to suit an investors tolerance of risk.

GOVERNMENT SECURITIES – The following types of investments are where a local authority directly purchases a particular investment instrument - a security. It has a market price when purchased and that value can change during the period the instrument is held until it matures or is sold. The annual earnings on a security is called a yield - it is normally the interest paid by the issuer divided by the price paid, unless the security is initially issued at a discount (e.g. treasury bills).

- Treasury Bills – These are short term bills (up to 12 months, although none have ever been issued for this maturity) issued by the Government and so are backed by the sovereign rating of the UK. The yield is higher than the rate of interest paid by the DMADF and another advantage compared to a time deposit in the DMADF is that they can be sold if there is a need for access to cash at any point in time. However, there is a spread between purchase and sale prices so early sales could incur a net cost during the period of ownership.

- UK Government Gilts – These are longer term debt issuance by the UK Government and are backed by the sovereign rating of the UK. The yield is higher than the rate of interest paid by the DMADF and another advantage compared to a time deposit in the DMADF is that they can be sold if there is a need for access to cash at any point in time. However, there is a spread between purchase and sale prices so early sales may incur a net cost. Market movements that occur between purchase and sale may also have an adverse impact on proceeds. The advantage over Treasury bills is that they generally offer higher yields the longer it is to maturity, if the yield curve is positive.
- Bond issuance (from financial institution guaranteed by UK Government) – This is similar to a gilt due to the Government guarantee.
- Bonds issued by multi-lateral development banks (MLDBs) – These are similar to both gilts and bond issuance but are issued by MLDBs which are typically guaranteed by a group of sovereign states e.g. European Bank for Reconstruction and Development.

**CORPORATE SECURITIES** – The following types of investments are where a local authority directly purchases a particular investment instrument – a security. It has a market price when purchased and that value can change during the period it is held until it is sold. The annual earnings on a security is called a yield – the interest paid by the issuer divided by the price paid. These are similar to government securities although they generally have a higher risk than government debt and as such earn higher yields.

- Certificates of deposit (CDs) – These are shorter term securities issued by deposit taking institutions (mainly financial institutions). They are negotiable instruments, so can be sold ahead of maturity and purchased after they have been issued. However, that liquidity can come at a price, where the yield could be marginally less than placing a deposit with the same bank as the issuing bank.

#### **PERMITTED INVESTMENTS - NON-TREASURY INVESTMENTS**

- The Council recognises that investment in other financial assets and property primarily for financial return, taken for non-treasury management purposes, requires careful investment management. Such activity includes loans supporting service outcomes, investments in subsidiaries/ALEOs, and investment property portfolios.

## 5.7 COUNTERPARTY LIST

### **Deposits up to 12 months**

All the banks listed in this category have a suggested duration of 12 months from our treasury advisors, Link Asset Services credit rating list – i.e. the highest rated

#### UK Nationalised and Part Nationalised Banks - £30m limit

The Royal Bank of Scotland Group plc

(includes Royal Bank of Scotland plc, National Westminster Bank plc)

(actual rating overridden by the significant UK Govt. Ownership, i.e. >20%)

#### UK Banks - £30m limit

HSBC Bank plc

Handelsbanken PLC

#### Other Banks - £20m limit

Countries with a minimum of AA+ Sovereign rating and Banks with a suggested duration of 12 months from LAS credit rating list – i.e. the highest rated

#### Australia - AAA

Australia and New Zealand Banking Group Ltd.

Commonwealth Bank of Australia

National Australia Bank Ltd.

Westpac Banking Corp.

#### Canada – AA+

Bank of Montreal

Bank of Nova Scotia

Canadian Imperial Bank of Commerce

Royal Bank of Canada

Toronto-Dominion Bank

#### Finland – AA+

Nordea Bank ABP

#### Germany - AAA

DZ BANK AG Deutsche Zentral-Genossenschaftsbank

Landwirtschaftliche Rentenbank

NRW.BANK

#### Netherlands - AAA

Bank Nederlandse Gemeenten N.V.

Cooperatieve Rabobank U.A.

ING Bank N.V.

Singapore - AAA

DBS Bank Ltd.

Oversea-Chinese Banking Corp. Ltd.

United Overseas Bank Ltd

Sweden - AAA

Skandinaviska Enskilda Banken AB (SEB)

Svenska Handelsbanken AB

Swedbank AB

Switzerland - AAA

UBS AG

UK Local Authorities (including Police Authorities) – £20m limit  
(per authority)

**Deposits up to 6 months**

UK Banks - £20m limit

Barclays Bank PLC

Close Brothers Ltd

Goldman Sachs International Bank

Lloyds Banking Group (includes Bank of Scotland)

Santander UK PLC

Standard Chartered Bank

UK Building Societies - £10m limit

Coventry Building Society

Nationwide Building Society

Skipton Building Society

**Deposits up to 3 months**

Council's Bankers - £30m limit

Clydesdale Bank plc

UK Building Societies - £10m limit

Leeds Building Society

Yorkshire Building Society

## **Collective Investment Schemes**

### Money Market Funds - £30m limit

Aberdeen Liquidity Fund – Sterling

Deutsche Managed Sterling Fund

Federated Short Term Sterling Prime Fund

HSBC Sterling Liquidity Fund

Insight Liquidity Fund

Morgan Stanley Sterling Liquidity Fund

State Street Global Advisors GBP Liquidity Fund



## 6. Definitions

### 6.1 CIPFA Treasury Management in the Public Services Code of Practice

This is the CIPFA guidance document that all local authorities must follow for their treasury management activities.

### 6.2 Counterparty list

This is an approved listing of banks and other financial institutions with which the Council can undertake short-term money investments. The list is compiled using credit rating information supplied by the major credit rating agencies to Link Asset Services, the Council's appointed Treasury Management advisors.

### 6.3 Prudential Code

A CIPFA produced framework to support local strategic planning, local asset management planning and proper option appraisal. The objectives of the Code are to ensure that the capital investment plans of local authorities are affordable and proportionate, and external long-term borrowing is prudent and sustainable. Risks associated with investments for service purposes are proportionate to their financial capacity, and treasury management and investment decisions are taken in accordance with professional good practice.

### 6.4 Public Works Loan Board

Operated by the UK Debt Management Office (DMO) on behalf of HM Treasury, to provide loans to local authorities from the National Loans Fund to support capital projects.

### 6.5 Debt Maturity Profile

A list/chart of loans/debt expressed in the order of their principal repayment dates.

### 6.6 Loans Fund Advances

The mechanism used to distribute both principal and interest costs for external borrowing, to the appropriate internal Council departmental budgets.

### 6.7 Money Market Funds

These funds collective investment schemes which are AAA rated. These fund portfolios are widely diversified, using many forms of investment types in order to produce a sustainable level of return to investors.

### 6.8 Liquidity

The availability of liquid assets/cash on hand, in order for the Council to meet its financial obligations.

## 7. Risk

### 7.1 TREASURY RISKS AND CONTROLS

All treasury borrowing and investments are subject to the following risks: -

7.2 Credit and counterparty risk: this is the risk of failure by a counterparty (bank or building society) to meet its contractual obligations to the organisation particularly as a result of the counterparty's diminished creditworthiness, and the resulting detrimental effect on the organisation's capital or current (revenue) resources. There are no counterparties where this risk is zero although AAA rated organisations have the highest, relative, level of creditworthiness.

Control: This authority has set minimum credit criteria to determine which counterparties and countries are of sufficiently high creditworthiness to be considered for investment purposes.

7.3 Liquidity risk: this is the risk that cash will not be available when it is needed. While it could be said that all counterparties are subject to at least a very small level of liquidity risk, as credit risk can never be zero. In this document, liquidity risk has been treated as whether instant access to cash can be obtained from each form of investment instrument. However, it has to be pointed out that while some forms of investment e.g. gilts, Certificates of Deposit, corporate bonds can usually be liquidated at short notice if the need arises, there are two caveats: - a) cash may not be available until a settlement date up to three days after the sale, b) there is an implied assumption that markets will not freeze up and so the instrument in question will find a ready buyer.

Control: This authority has a cash flow forecasting system to enable it to determine how long investments can be made for and how much can be invested. This authority operates with a liquidity policy that at least 50% of its external investments will be liquid (i.e. accessible in 35 days or less).

7.4 Interest rate risk: this is the risk that fluctuations in the levels of interest rates create an unexpected or unbudgeted burden on the organisation's finances, against which the organisation has failed to protect itself adequately. This authority has set limits for its fixed and variable rate exposure in its Treasury Indicators in this report. All types of investment instrument have interest rate risk except for instruments with a variable rate of interest.

Control: This authority manages this risk by having a view of the future course of interest rates and then formulating a treasury management strategy accordingly which seeks to minimise borrowing costs.

7.5 Market risk: this is the risk that, through adverse market fluctuations in the value of the principal sums an organisation borrows and invests, its stated treasury management policies and objectives are compromised, against which effects it has failed to protect itself adequately. However, some cash rich local authorities may positively want exposure

to market risk e.g. those investing in investment instruments with a view to obtaining a long-term increase in value.

Control: This authority does not purchase investment instruments which are subject to market risk in terms of fluctuation in their value.

7.6 Legal and regulatory risk: this is the risk that the organisation itself, or an organisation with which it is dealing in its treasury management activities, fails to act in accordance with its legal powers or regulatory requirements, and that the organisation suffers losses accordingly.

Control: This authority will not undertake any form of investing until it has ensured that it has all the necessary powers and complied with all regulations.

## 8. Policy Performance

8.1 Loans Fund Pool Rate – The Council maintains a Consolidated Loans Fund (CLF) under the powers contained in the Local Government (Scotland) Act 1975. All loans raised by the Council are paid into the Fund and all advances to finance capital expenditure are made from the Fund, except projects financed directly from Revenue Accounts.

In essence, the Loans Fund acts as a bank to the Council's Services. The Loans Fund finances the daily cashflow of Services (and either pays or charges interest) as well as deciding the amount of borrowing to undertake to finance capital expenditure. The Treasury section pro-actively manages the Council's debt and investment portfolios with the goal of reducing the overall cost of debt servicing to the Council.

All loans and investment interest and expenses for the year, as well as interest on historic outstanding borrowing, are reflected within the Council's average Loans Pool Rate. The projected pool rate is monitored against an estimate throughout the year, and any adverse movements in this would be reported to the Chief Officer – Finance.

The Loans Pool Rate is the key financial indicator of the effectiveness of Treasury Management Policy. The final rate is reported to full Council as part of the annual Treasury Management Year-End Review report.

8.2 The Council remains required to comply with the requirements of the Prudential Code. This includes the setting of several Prudential Indicators. Included within these indicators are several Treasury Management Indicators for External Debt boundaries.

The Code does state "It will probably not be significant if the operational boundary is breached temporarily on occasions due to variations in cash flow. However, a sustained or regular trend above the operational boundary would be significant and should lead to further investigation and action as appropriate".



The Council has in place an early warning system to highlight when these indicators are likely to be breached. No indicators were breached during the previous year.

## 9. Design and Delivery

9.1 This policy has taken into consideration organisational design and governance principles of Aberdeen City Council's Operating Model.

9.2 This policy has been designed to allow scope for the use of emerging products, financial instruments and/or services which would improve the effectiveness of the Council's Treasury Management function.

## 10. Housekeeping and Maintenance

10.1 This policy is constantly monitored throughout the year. In line with CIPFA recommendations, Treasury Management matters are reported to full Council at least 3 times annually: -

- Annual Policy and Strategy Review
- Year End Summary
- Mid-Year Review

Should an urgent matter arise outwith the timing of these reports (e.g. a new Counterparty to be added), then a separate report can be made to full Council for approval.

## 11. Communication and Distribution

11.1 Although this policy is not published separately, the policy would be available as part of the relevant Council report, and therefore would be accessible through the Committee Reporting section of the Council's website and the Council's Intranet. The policy will be shared with users and stakeholders, such as Internal Audit.

## 12. Information Management

12.1 Information generated by the application of the policy will be managed in accordance with the Council's Corporate Information Policy and supporting Procedures.

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## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Council
<b>DATE</b>	22 February 2023
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Aberdeen City Integration Scheme
<b>REPORT NUMBER</b>	ACHSCP/23/57
<b>DIRECTOR</b>	Sandra MacLeod, Chief Officer, Aberdeen City Health and Social Care Partnership (ACHSCP)
<b>CHIEF OFFICER</b>	Fraser Bell, Interim Chief Operating Officer Aberdeen City Health and Social Care Partnership (ACHSCP)
<b>REPORT AUTHOR</b>	Alison MacLeod, Lead for Strategy and Transformation Aberdeen City Health and Social Care Partnership (ACHSCP)
<b>TERMS OF REFERENCE</b>	21

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek endorsement of the revised Aberdeen City Integration Scheme prior to submission to Scottish Ministers for approval.

### 2. RECOMMENDATIONS

That Council: -

- 2.1 Endorses the revised Aberdeen City Integration Scheme.
- 2.2 Instructs the Chief Executive to submit the Aberdeen City Integration Scheme to Scottish Ministers for approval.
- 2.3 Delegates authority to the Chief Executive to agree any minor changes proposed by the Scottish Government for the Revised Integration Scheme to be approved.

### 3. CURRENT SITUATION

- 3.1 Section 2(3) of the Public Bodies (Joint Working) (Scotland) Act (2014) requires each local authority and the Health Board to jointly prepare an Integration Scheme for the area of the local authority. Sections 44(2) and 44(5)(a) requires that the local authority and the Health Board must carry out a review of the Integration Scheme within five years. Aberdeen City's current Integration Scheme was last approved in March 2018 and a review is therefore required by March 2023. Section 7(1) requires the local authority and the Health Board to jointly submit an Integration Scheme to the Scottish Ministers for approval.

Council is asked to endorse the draft, revised Integration Scheme for Aberdeen City prior to submission to Scottish Ministers.

- 3.2 The first Integration Scheme for Aberdeen City was developed in March 2015. It was revised in April 2018 mainly to reflect changes in legislation brought about by the Carers (Scotland) Act 2016 but, in addition, further changes were made to reflect the passage of time and to bring clarity and accuracy to arrangements since the Integration Joint Board was first established. The Council meeting of 5<sup>th</sup> March 2018 approved the previous revision. The report can be viewed via this link [ACHSCP Integration Scheme - report.pdf \(aberdeencity.gov.uk\)](#)
- 3.3 The timeline for revision of the current Scheme is that it must be approved, completed, and published by March 2023. NHS Grampian Board considered the Scheme on 2<sup>nd</sup> February 2023 endorsed it for submission to Scottish Ministers. Following consideration by Council it is proposed the Scheme will then be submitted to Scottish Ministers allowing time for their review and subsequent approval within the required timescale. Scottish Ministers may propose amendments to the Scheme prior to giving their approval. As in 2018, Council is asked to delegate authority to the Chief Executive to agree any minor revisions and assess whether any proposed revisions would need to come back to Council.
- 3.4 Appendix B details the changes made to the existing Integration Scheme. Although 24 changes are listed, most of these are minor clarifications and updating. The most significant additions are: -
- The inclusion of the role of Public Health
  - the inclusion of the recently approved Whistleblowing Policy,
  - the inclusion of the role of Chief Operating Officer
  - a more robust reflection of the recently agreed joint Locality Planning Arrangements and involvement of communities,
  - inclusion of Mental Health Services, hosted since March 2020, and
  - the addition of pharmaceutical services for under 18s (note this was an omission from earlier versions)
- The lifespan of the Integration Scheme is technically to March 2028 however it is recognised that the implementation of a National Care Service and the change to Care Boards will likely take place prior to this, requiring new arrangements to be put in place.
- 3.5 The stakeholders prescribed to be consulted are listed at section 13.5 (page 37) of the Integration Scheme. Consultation with staff and communities began at the end of June 2022. Initial feedback from communities was that the document was too long and complicated for most to read and understand. A summary version was created, and this went out for public consultation in November. All relevant comments received to date have been incorporated into the draft.
- 3.6 The Scheme has previously been considered by the following groups as part of its development: -
- Senior Leadership Team, ACHSCP (29.06.22 and 10.08.22)
  - Operational Teams, ACHSCP (at various dates between the two dates above)

- Aberdeen City Strategic Planning Group (18.08.22, 29.09.22 and 10.11.22)
- Community Groups and Partners (at various points between SPG meetings)
- ACHSCP Executive Programme Board, 24.08.22
- Public and Partners including Aberdeen City IJB (throughout November and December 2022)

Responses to the consultation was strongest from professional and staff groups although the community's representation to have their involvement reflected more robustly was an important and welcome revision.

- 3.7 Aberdeen City IJB delivers adult social care and mainly adult community health services. Some delegated health services are provided to people under the age of 18. These are noted at Annex 1, Part 2 C, and Part 3 on pages 56 and 57 of the Scheme and include GP, Dental, Ophthalmic and Pharmacy services as well as Health Visiting, School Nursing and Child and Adolescent Mental Health Services (CAMHS).
- 3.8 Council is asked to endorse the revised Aberdeen City Integration Scheme allowing it to progress to the next stage of the approval process to meet the legal obligation within the designated timescale.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Aberdeen City's Integration Scheme should have a neutral to positive impact on capital and revenue finance and efficiencies. It is the governance from which services are delegated to the Integration Joint Board (IJB) and does not change the way community health and social care services are managed or delivered within Aberdeen City. The existing IJB budget will continue to be managed in the same way as before. Whilst Mental Health Inpatient Services and Children and Adolescent Mental Health Services (CAMHS) are delegated operationally and strategically to the IJBs, the transfer of funding to the IJBs for these services has not taken place. The Mental Health Inpatient Services and CAMHS are currently overspending, and this is being funded by NHS Grampian. A report will be presented to the three Grampian IJBs, by the 31 March 2024 on the financing arrangements, once a full review of these budgets has been undertaken. At this point Aberdeen City IJB will be able to determine whether the funding for these services should transfer into its budget.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Were the draft Integration Scheme not to be endorsed and allowed to progress to the timetable noted at 3.3 above, NHS Grampian and Aberdeen City Council would risk being in breach of Section 2(3), 44(2), 44(5)(a), and 7(1) of the Public Bodies (Joint Working) (Scotland) Act (2014) as described in paragraph 3.2 above.

## 6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

## 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	There is a risk that there will be no revised, approved Integration Scheme for Aberdeen City IJB	Approved Integration Scheme in place.	M	Yes
<b>Compliance</b>	Non-compliance with appropriate legislation (as per 3.1 above)	Approval of Integration Scheme	L	Yes
<b>Operational</b>	No significant risks identified	N/A	N/A	N/A
<b>Financial</b>	No significant risks identified	N/A	N/A	N/A
<b>Reputational</b>	No significant risks identified	N/A	N/A	N/A
<b>Environment / Climate</b>	No significant risks identified	N/A	N/A	N/A

## 8. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN 2022-2023</u></b>	
	<b>Impact of Report</b>
<b>Aberdeen City Council Policy Statement</b>  <a href="#"><u>Working in Partnership for Aberdeen</u></a>	Aberdeen City IJB work in partnership with independent and third sector commissioned organisations supporting health and wellbeing and tackling inequality
<a href="#"><u>Aberdeen City Local Outcome Improvement Plan 2016-26</u></a>	

Prosperous Economy Stretch Outcomes	N/A
Prosperous People Stretch Outcomes	Aberdeen IJB are significantly involved in projects delivering Stretch Outcome 11 – Resilient, Included and Supported.
Prosperous Place Stretch Outcomes	N/A
<b>Regional and City Strategies</b>	N/A

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	In relation to the amendments to the Scheme, it is not considered that the changes require a reconsideration of the impacts already identified by an Equality Impact Assessment completed during development of previous Integration Scheme.
<b>Data Protection Impact Assessment</b>	Not required
<b>Other</b>	N/A

## 10. BACKGROUND PAPERS

- 10.1 Existing Aberdeen City Integration Scheme
- 10.2 Previous report to Council on revised Integration Scheme on 5<sup>th</sup> March 2018. [ACHSCP Integration Scheme - report.pdf \(aberdeencity.gov.uk\)](#)

## 11. APPENDICES

- 11.1 Appendix A Aberdeen City Integration Scheme April 2023
- 11.2 Appendix B Changes to Aberdeen City Integration Scheme January 2023.

## 12. REPORT AUTHOR CONTACT DETAILS

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<b>Title</b>	Lead for Strategy and Transformation
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# **Health and Social Care Integration Scheme for Aberdeen City**

**April 2023**

This document is also available in large print and other formats and languages, upon request. Please call NHS Grampian Corporate Communications on (01224) 551116 or (01224) 552245.

## Document Control

<b>Issue/ Amendment</b>	<b>Date(s)</b>	<b>Pages Amended</b>
v.1	March 2015	All
v.2	January/February 2018	All
v.3	April 2018	Highlight Removed/PDF created
v.4	April 2023	
<b>Next due for review March 2028</b>		

## 1. Introduction

The Public Bodies (Joint Working) (Scotland) Act 2014 provides a framework for the effective integration of adult health and social care services. Its policy ambition is to:

“...improve the quality and consistency of services for patients, carers, service users and their families; to provide seamless, joined-up quality health and social care services in order to care for people in their own homes or a homely setting where it is safe to do so; and to ensure resources are used effectively and efficiently to deliver services that meet the increasing number of people with longer term and often complex needs, many of whom are older.”

To realise this ambition, the Aberdeen City Health and Social Care Partnership (the Integration Authority) has been established with a remit to engage with the people who use our services, their carers, our workforce, the third and independent sectors and community representatives in the planning and delivery of integrated adult health and social care services that will make a positive difference to the health and wellbeing of our City's population.

## 2. Aims and Outcomes of the Integration Scheme

NHS Grampian and the Council have a strong and shared sense of commitment and motivation to work closely with the residents and communities of Aberdeen to deliver good quality, person centred integrated health and social care services.

This commitment is reflected in the Partnership's vision “***A caring partnership working together with our city communities to enable people to achieve fulfilling and healthier lives and wellbeing***”.

The underpinning values that will inform the Partnership's approach to planning and service delivery are:

- Honesty
- Empathy
- Equity
- Respect
- Transparency

The parent bodies are required to take into account the integration principles when preparing this Integration Scheme. These principles clearly state that the main purpose of integrated services is to improve the wellbeing of service users and these services should be provided in a way in which, so far as possible:

- Is integrated from the point of view from recipients
- Takes account of the particular needs of different recipients
- Takes account of the particular needs of recipients from different parts of the area in which the service is being provided
- Takes account of the particular characteristics and circumstances of different service users
- Respects the rights of service users
- Takes account of the dignity of service users
- Takes account of the participation by service users in the community in which service users live
- Protects and improves the safety of service users
- Improves the quality of the service
- Is planned and led locally in a way which is engaged with the community (including in particular service users, those who look after service users and those who are involved in the provision of health or social care)
- Best anticipates needs and prevents them arising, and
- Makes the best use of the available facilities, people and other resources

The Partnership will be obliged to evidence how well the nine National Health and Wellbeing outcomes are being met; these are:

1. People are able to look after and improve their own health and wellbeing and live in good health for longer.
2. People, including those with disabilities or long-term conditions or who are frail are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community.
3. People who use health and social care services have positive experiences of those services, and have their dignity respected.
4. Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.
5. Health and social care services contribute to reducing health inequalities.
6. People who provide unpaid care are supported to look after their own health and wellbeing, including to reduce any negative impact of their caring role on their own health and wellbeing.
7. People using health and social care services are safe from harm.
8. People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.
9. Resources are used effectively and efficiently in the provision of health and social care services.

## Integration Scheme

### The parties:

**THE ABERDEEN CITY COUNCIL**, established under the Local Government etc. (Scotland) Act 1994 and having its principal offices at Town House, Broad Street, Aberdeen AB10 1AQ (hereinafter referred to as “the Council” which expression shall include its statutory successors);

And

**GRAMPIAN HEALTH BOARD**, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as “NHS Grampian”) and having its principal offices at Summerfield House, 2 Eday Road, Aberdeen AB15 6RE (hereinafter referred to as “NHS Grampian” which expression shall include its statutory successors)

(together referred to as “the Parties”, and each being referred to as a “Party”)

### 1. Definitions and Interpretation

1.1 In this Integration Scheme, the following terms shall have the following meanings: -

“Accountable Officer” means the NHS officer appointed in terms of section 15 of the Public Finance and Accountability (Scotland) Act 2000.

“Acute” services are those services specified in Annex 4 of this Scheme.

“Chief Officer” means the Officer appointed by the Integration Joint Board in accordance with section 10 of the Act.

“Delegated services” means the functions and services listed in Annexes 1 and 2 of this Scheme.

“Direction” means an instruction from the Integration Joint Board in accordance with section 26 of the Act.

“IJB” means the Aberdeen City Integration Joint Board established by Order under section 9 of the Act.

“IJB Order” means the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.

“Integrated Budget” means the Budget for the delegated resources for the functions set out in the Scheme.

“Outcomes” means the Health and Wellbeing Outcomes prescribed by the Scottish Ministers in Regulations under section 5(1) of the Act and are those listed on Page 4 of this Scheme.

“Payment” means all of the following:

- a) the Integrated Budget contribution to the Integration Joint Board;
- b) the resources paid by the Integration Joint Board to the Parties for carrying out directions, in accordance with section 27 of the Act and
- c) does not require that a bank transaction is made;

“Strategic Plan” means the plan which the Integration Joint Board is required to prepare and implement in relation to the delegated provision of health and social care services to adults in accordance with section 29 of the Act;

and

“Section 95 Officer” means the statutory post under the Local Government (Scotland) Act 1973 being the Accountable (Proper) Officer for the administration and governance of the financial affairs of the Council.

“The Act” means the Public Bodies (Joint Working) (Scotland) Act 2014;



“The Integration Scheme Regulations” means the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014.

“The Parties” means the Aberdeen City Council and NHS Grampian.

“The Scheme” means this Integration Scheme.

1.2 In implementation of their obligations under the Act, the Parties hereby agree as follows:

1.3 In accordance with section 1(2) of the Act, the Parties agreed that the integration model set out in sections 1(4)(a) of the Act would be put in place for the IJB, namely the delegation of functions by the Parties to a body corporate that is to be established by Order under section 9 of the Act. The IJB was established by Parliamentary Order on 6 February 2016.

## **2. Local Governance Arrangements**

2.1 The remit of the IJB is to prepare and implement a Strategic Plan in relation to the provision of health and social care services to adults in its area in accordance with sections 29-39 of the Act.

## **3. Board Governance**

3.1 The arrangements for appointing the voting membership of the IJB in accordance with the IJB Order are as follows: -

3.1.1 The Council shall nominate four councillors: and

3.1.2 NHS Grampian shall nominate four health board members.

3.2 The voting membership of the IJB shall be appointed for a term of up to 3 years.

- 3.3 Provision for the disqualification, resignation and removal of voting members is set out in the IJB Order.
- 3.4 Whilst serving on the IJB its voting members carry out their functions under the Act on behalf of the IJB itself, and not as delegates of their respective Parties. Accurate record-keeping and minute-taking will be essential for transparency and accountability purposes.
- 3.5 The IJB is required to co-opt non-voting members to the IJB.
- 3.6 The non-voting membership of the IJB is set out in the IJB Order and includes (subject to any amendment of the IJB Order):
- a) the chief social work officer of the local authority.
  - b) the Chief Officer, appointed by the IJB.
  - c) the proper officer of the integration joint board appointed under section 95 of the Local Government (Scotland) Act 1973.
  - d) a registered medical practitioner whose name is included in the list of primary medical services performers prepared by the Health Board in accordance with Regulations made under section 17P of the National Health Service (Scotland) Act 1978.
  - e) a registered nurse who is employed by the Health Board or by a person or body with which the Health Board has entered into a general medical services contract; and
  - f) a registered medical practitioner employed by the Health Board and not providing primary medical services.

In addition, the following will be co-opted onto the IJB

- g) A Public Health Consultant employed by the NHS Board who shall be a non-voting member.

and at least one member of each of the following groups:

- h) staff of the constituent authorities engaged in the provision of services provided under integration functions.
- i) third sector bodies carrying out activities related to health or social care in the area of the local authority.
- j) service users residing in the area of the local authority; and
- k) persons providing unpaid care in the area of the local authority.

3.7 NHS Grampian will determine the non-voting representatives listed in d)-f) above, in terms of the IJB Order.

3.8 The arrangements for appointing the Chair and Vice Chair of the IJB are as follows:

3.8.1 The first Chair was nominated by the Council.

3.8.2 After the term of the first Chair came to an end, the Vice Chair became the next Chair and the outgoing Chair's organisation nominated the next Vice Chair, which the IJB appointed.

3.8.3 The term of the first Chair ended on 31 December 2016.

3.8.4 The second term of Chair began on 1 January 2017, with further terms of Chair beginning on the first day of January every two years thereafter.

#### **4. Delegation of Functions**

4.1 The functions that are to be delegated by NHS Grampian to the IJB are set out in Part 1 of Annex 1 and are subject to the exceptions and restrictions specified or referred to. The services to which these functions relate, which are currently provided by NHS Grampian, and which are to be integrated, are set out in Part 2 of Annex 1. For the avoidance of doubt, the functions listed in Part 1 of Annex 1 are delegated only in so far as they relate to the services listed in Part 2 of Annex 1 and there are certain services in respect of which functions are delegated for all age groups and certain services in respect of which functions are delegated for all people over the age of 18 only.

4.2 The functions that are to be delegated by the Council to the IJB are set out in Part 1 of Annex 2 and are subject to the exceptions and restrictions specified or referred to. The services to which these functions relate, which are currently provided by the Council, and which are to be integrated, are set out in Part 2 of Annex 2. For the avoidance of doubt, the functions listed in Part 1 of Annex 2 are delegated only to the extent that they relate to the services listed in Part 2 of Annex 2 and are provided to persons of 18 years and over.

4.3 In the delegation of functions, the Parties recognise that they will require to work together and with, the IJB, to achieve the Outcomes. Through local management, the Parties will put arrangements in place to avoid fragmentation of services provided to persons under 18 years. In particular, the community health services for persons under 18 years of age set out in Part 3 of Annex 1 shall be operationally devolved by the Chief Executive of NHS Grampian to the Chief Officer of the IJB who will be responsible and accountable for the operational delivery and performance of these services.

4.4 In exercising its functions, the IJB must take into account the Parties' requirements to meet their respective statutory obligations, standards set by government and other organisational and service delivery standards set by the Parties. Apart from those functions delegated by virtue of this Scheme, the Parties retain their distinct statutory responsibilities and therefore also retain their formal decision-making roles.

4.5 In the delegation of functions, the Parties recognise that they will require to work together, and with the IJB to achieve the required National Health and Wellbeing outcomes and desired local outcomes. To achieve these outcomes, the Parties will put appropriate arrangements in place that reflect the integration principles and ensure improved personal outcomes for the individuals who use the services.

4.6 The delegation of functions from the Parties to the IJB shall not affect the legality of any contract made between either of the Parties and any third party, which relates to the delivery of delegated or non-delegated services. The IJB

shall be mindful of the Parties existing contracts and shall enter into a joint commissioning strategy with the Parties.

- 4.7 Some delegated services may be hosted by the IJB on behalf of other integration authorities, or some delegated services may be hosted by another integration authority on behalf of the IJB. The IJB will consider and agree the hosting arrangements.

## **5. Local Operational Delivery Arrangements**

- 5.1 The local operational arrangements agreed by the Parties are:

- 5.2 The responsibilities of the membership of the IJB in relation to monitoring and reporting on the delivery of delegated services on behalf of the Parties are as follows: -

5.2.1 The IJB is responsible for the planning of delegated services and achieves this through the Strategic Plan. It issues Directions to the Parties to deliver services in accordance with the Strategic Plan.

5.2.2 The IJB will continue to monitor the performance of the delivery of delegated services using the Strategic Plan on an ongoing basis.

5.2.3 The Parties expect the IJB to develop a framework which provides a mechanism for assurance and monitoring of the management and delivery of integrated services. This will ensure appropriate use of resources and enable appropriate scrutiny of performance which the Parties will support.

- 5.3 The IJB makes decisions on matters of strategy, policy and the annual budget as well as having oversight of, and obtaining assurance on, the performance of delegated services, including services that it hosts but not including the health services listed in Annex 4 or services which are hosted by another integration authority. NHS Grampian will be responsible for the operational oversight of the services listed in Annex 4 and already has in place an existing mechanism for the scrutiny and monitoring of delivery of

these services. Appropriate links will be made between this structure and any governance framework to be put in place by the IJB in terms of paragraph 5.6 below.

- 5.4 The IJB will take decisions in respect of delegated services for which it has operational oversight.
- 5.5 The IJB shall ensure that resources are managed appropriately for the delivery of delegated services for which it has operational oversight, in implementation of the Strategic Plan.
- 5.6 The Parties expect the IJB to develop a governance framework to provide itself with a mechanism for assurance and monitoring of the management and delivery of integrated services. This will enable the scrutiny of performance and of appropriate use of resources. If required, the Parties will support the IJB in the development of this framework.
- 5.7 The IJB is responsible for the operational delivery of criminal justice services. The IJB is a statutory partner on the Community Justice Group.
- 5.8 The Chief Officer is accountable to the IJB for the planning and operational delivery of the delegated services and the outcomes they achieve. The Chief Officer will make decisions which, in their opinion, is required to discharge their responsibilities for the planning and operational delivery of these delegated services. The Parties acknowledge that the Chief Officer's role in operational delivery will represent an important means by which closer integration of services, in accordance with the integration delivery principles specified in the Act, can be achieved.
  - 5.8.1 The Chief Officer shall be accountable to the Parties in relation to the operational management of some of the delegated services and shall report to the Chief Executives of both Parties in this respect.
  - 5.8.2 The Chief Officer shall work closely with those other persons who are responsible for operationally managing those services referred to in Part 2 of

Annex 1 hereof which the Chief officer is not directly responsible for, to ensure that the outcomes for the delivery of those services are achieved.

5.8.3 For the avoidance of doubt, the Chief Officer's role in operational delivery shall not displace:

- (a) the responsibilities of each Party regarding compliance with directions issued by the IJB; or
- (b) the principle that each Party's governance arrangements must allow that Party to manage risks relating to service delivery.

5.9 For delegated Acute services that the IJB does not have operational oversight of, the IJB shall be responsible for the strategic planning of those services. The IJB shall monitor performance of those delegated services in terms of outcomes delivered via the Strategic Plan.

5.10 NHS Grampian and the Council will be responsible for the operational delivery of delegated services in implementation of Directions of the IJB.

5.11 The Parties shall provide such information as may be reasonably required by the Chief Officer, the IJB and the Strategic Planning Group to enable the planning, monitoring and delivery of delegated services.

5.12 NHS Grampian and the IJB will work together to ensure that the planning and delivery of integrated (and non-integrated) hospital services are consistent.

## **6. Corporate Support Services**

6.1 The Parties recognise that the IJB requires various corporate support services in order to fully discharge its duties under the Act.

6.2 The Parties shall identify, and may review, the corporate resources it requires, including the provision of any professional, technical or administrative services

for the purpose of preparing a Strategic Plan and carrying out delegated functions. This assessment shall be made available to the Parties.

- 6.3 The Parties shall be responsible for ensuring that the IJB has provision of suitable resources for corporate support to allow it to fully discharge its duties under the Act.
- 6.4 The Parties and the IJB shall reach an agreement in respect of how these services will be provided to the IJB which will set out the details of the provision.
- 6.5 The Parties and the IJB will review the support services being provided on an annual basis to ensure that these are sufficient. The Parties and the IJB shall agree on the arrangements for future provision, including specifying how these requirements will be built into the IJB's annual budget setting and review process.

## **7 Support for Strategic Planning**

- 7.1 The Parties shall share with such other relevant integration authorities, the necessary activity and financial data for services, facilities or resources that relate to the planned use of services provided by those integration authorities for the users of adult health and social care services of Aberdeen City.
- 7.2 The Parties shall consult with the IJB on any plans to change service provision of non-delegated services which may have a resultant impact on the Strategic Plan.
- 7.3 The Strategic Plan is written for users of adult health and social care services within Aberdeen City. A number of individuals will receive services across a boundary of an integration authority. For example, a certain percentage of Aberdeenshire residents access GP primary care in Aberdeen City. NHS Grampian will provide support to enable the appropriate planning of such services for these individuals. This shall be done in pursuance of the duty under s30 (3) of the Act.



## **8. Targets and Performance Measurement**

- 8.1 The Parties shall inform the IJB what performance targets and improvement measures it considers the IJB should take account of, in the planning and delivery of delegated functions for which responsibility should transfer exclusively to the IJB.
- 8.2 Where the responsibility for achieving the targets span delegated and non-delegated services, the Parties and the IJB will work together to deliver these.
- 8.3 A set of shared principles for targets, measures and indicators known as a Performance Framework, will be maintained and agreed by the Parties and the IJB. This will take into account the Scottish Government's Guidance on the Outcomes and the associated core suite of indicators for integration.
- 8.4 The performance framework will be underpinned by the Outcomes and will drive change and improve effectiveness. The framework will be informed by an assessment of current performance arrangements and the development of a set of objectives which the framework is intended to achieve.

## **9. Clinical and Professional Governance**

### **9.1 Outcomes**

- 9.1.1 The IJB and the Parties will provide assurance on Outcomes through its clinical and professional governance arrangements.
- 9.1.2 The Parties and the IJB will have regard to the integration planning and delivery principles and will determine the clinical and professional governance assurances and information required by the IJB to inform the development, monitoring and delivery of its Strategic Plan. The Parties will provide that assurance and information to the IJB.

## **9.2 General Clinical and Professional Governance Arrangements**

9.2.1 The Parties and the IJB are accountable for ensuring appropriate clinical and professional governance arrangements for their duties under the Act.

9.2.2 The Parties remain responsible for the clinical and professional governance of the services which the IJB has instructed the Parties to deliver.

9.2.3 The Parties remain responsible for the assurance of the quality and safety of services commissioned from the third and independent sectors in line with the requirements set out in the Strategic Plan.

9.2.4 The IJB will have regard to healthcare and social care governance, quality, aims, and risks when developing and agreeing its Strategic Plan and its corresponding Directions to the Parties. These risks may be identified by either of the Parties or the IJB and may include professional risks.

9.2.5 The Parties and the IJB will establish an agreed approach to measuring and reporting to the IJB on the quality of service delivery, organisational and individual care risks, the promotion of continuous improvement and ensuring that all professional and clinical standards, legislation, and guidance are met. This will be set out in a report to the IJB for it to approve.

## **9.3 Clinical and Professional Governance Framework**

9.3.1 NHS Grampian seeks assurance in the area of clinical governance, quality improvement and clinical risk from the NHS Grampian Clinical Governance Committee, through a process of constructive challenge. The Clinical Governance Committee is responsible for demonstrating

compliance with statutory requirements in relation to clinical governance, authorising an accurate and honest annual clinical governance statement and responding to scrutiny and improvement reports by external bodies such as Healthcare Improvement Scotland (or any successor). To achieve this, the Committee oversees a governance framework including a strategy, annual work programme, infrastructure of governance groups and an annual report.

9.3.2 The Council is required by law to appoint a Chief Social Work Officer to oversee and make decisions in relation to specified social work services, some of which are delegated in relation to integration functions, and to report to and alert the Council and elected members of any matters of professional concern in the management and delivery of those functions. He or she has a duty to make an annual report to the Council in relation to the discharge of the role and responsibilities. The Chief Social Work Officer will be a non-voting member of the IJB. If required, he or she shall make an annual report to the IJB in relation to the aspects of his or her position which relate to the delivery of integrated functions. The Chief Social Work Officer will retain all of the statutory decision-making and advisory powers given by statute and guidance, and the Medical and Nursing Directors shall not be entitled to countermand or over-rule any decisions or instructions given by the Chief Social Work Officer in carrying out that statutory role.

9.3.3 External scrutiny is provided by the Care Inspectorate (Social Care and Social Work Improvement Scotland) (or any successor), which regulates, inspects, and supports improvement of adult social work and social care.

9.3.4 The Scottish Government's *Clinical and Care Governance Framework for Integrated Health and Social Care Services in Scotland, 2015* (or any updated version or replacement) outlines the proposed roles, responsibilities and actions that will be required to ensure governance

arrangements in support of the Act's integration planning and delivery principles and the required focus on improved Outcomes.

- 9.3.5 The IJB has established a Clinical and Care Governance Committee and a Risk, Audit and Performance Committee. The Clinical Care Governance Committee oversee the clinical and professional governance arrangements for integrated services and the Risk, Audit & Performance Committee oversee risk management, financial management, and service performance. It is chaired by a non-office bearing voting member of the IJB and the Chair will rotate between NHS Grampian and Aberdeen City Council. The Committee is comprised of four members, two nominated by each partner. The Committee may also have additional members appointed by the IJB.
- 9.3.6 The role, remit and membership of the Clinical and Care Governance and the Risk, Audit & Performances Committees is set out in the IJB's terms of reference for each sub-committee which may be reviewed and amended by the IJB.
- 9.3.7 The Clinical and Care Governance and the Risk, Audit & Performance Committees will provide relevant advice and support to the IJB, the Strategic Planning Group, the Chief Officer and any professional groups established in localities as and when required. This can be done through the Chair of the Committees (or such other appropriate members) informing and advising the IJB, the Strategic Planning Group, the Chief Officer and any other Group, Committee, or locality of the IJB as and when required. The IJB and the Chief Officer shall also be able to obtain professional advice from the IJB non-voting membership of the Committees.

## 9.4 Staff Governance

- 9.4.1 The Parties will ensure that staff working in integrated services have the right training and education required to deliver professional standards of care and meet any professional regulatory requirements.
- 9.4.2 The IJB and the Parties shall ensure that staff will be supported if they raise concerns relating to practice that endangers the safety of service users and other wrongdoing in line with local policies and regulatory requirements. There are three main Whistleblowing policies relevant to the IJB the National Whistleblowing Standards, Aberdeen City Council's Whistleblowing Policy and the IJB's Whistleblowing Policy.

National Whistleblowing Standards have been produced by the Independent National Whistleblowing Officer's Department and came into effect on 1 April 2021. Whistleblowing Concerns can be raised by anyone who is (or has been) providing services for the NHS or working to provide services with NHS staff.

Aberdeen City Council Whistleblowing Policy -This policy applies to all employees and workers, including agency staff, workers who are self-employed, sub-contractors and workers employed by an outsourced contractor providing Council services.

IJB Whistleblowing Policy - This Policy relates to all IJB Members and Office Holders of the Board and is committed to dealing responsibly, openly and professionally with any genuine concerns held by staff of the Aberdeen City Health and Social Care Partnership, Members of the Board or Office Holders, encouraging them to report any concerns about wrongdoing or malpractice within the IJB, which they believe has occurred. The aim of this policy is to ensure that staff and Members are fully aware of the types of matters that they should report and the reporting procedure they should follow to raise any genuine concerns

about any possible wrongdoing or malpractice, at an early stage, without fear of penalty or victimisation.

9.4.3 Staff employed by NHS Grampian are bound to follow the NHS Staff Governance Standard. This Standard is recognised as being very laudable and the IJB will encourage it to be adopted for all staff involved in the delivery of delegated services. The Staff Governance Standard requires all NHS Boards to demonstrate that staff are:

- Well informed.
- Appropriately trained and developed.
- Involved in decisions which affect them.
- Treated fairly and consistently, with dignity and respect, in an environment where diversity is valued; and
- Provided with a continuously improving and safe working environment, promoting the health and wellbeing of staff, patients, and the wider community.

9.4.4 The Standard places a reciprocal duty on staff to:

- Keep themselves up to date with developments relevant to their job within the organisation.
- Commit to continuous personal and professional development.
- Adhere to the standards set by their regulatory bodies.
- Actively participate in discussions on issues that affect them either directly or via their trade union/professional organisation.
- Treat all staff and patients with dignity and respect while valuing diversity; and
- Ensure that their actions maintain and promote the health, safety and wellbeing of all staff, patients, and carers.

## **9.5 Interaction between the IJB, Strategic Planning Group and Localities**

9.5.1 Section 32 of the Public Bodies (Joint Working) (Scotland) Act 2014 requires an Integration Joint Board to establish a Strategic Planning Group comprising of members from Aberdeen City Council, NHS Grampian, staff from integrated services, a person to represent the interests of each locality, and representatives of such groups of persons appearing to the Scottish Ministers to have an interest. The Strategic Planning Group ensures that key strategic, policy, performance and improvement decisions relating to integration functions are informed and co-developed by partners and the organisations and communities they represent.

9.5.2 Aberdeen City Integration Joint Board have adopted joint Locality Planning arrangements with Aberdeen City Council. Each Locality has a Locality Empowerment Group (LEG) and a Priority Neighbourhood Partnership (PNP) supported jointly by integrated services staff and local authority staff. The LEGs and the PNPs are the main focus for consultation and engagement with the communities of Aberdeen and where Aberdeen City Integration Joint Board aim to ensure integrated services are planned and led locally.

## **9.6 Professional Leadership**

9.6.1 The Act does not change the professional regulatory framework within which health and social care professionals work, or the established professional accountabilities that are currently in place within the NHS and local government. The Act through drawing together the planning and delivery of services aims to better support the delivery of improved outcomes for the individuals who receive care and support across health and social care.

9.6.2 Directors of Public Health, Medical Directors and Nursing Directors are ministerial appointments made through health boards to oversee systems of professional and clinical governance within the Health

Board. Their professional responsibilities supersede their responsibilities to their employer. These Directors continue to hold responsibility for the actions of NHS Grampian clinical staff who deliver care through delegated/integrated services. They, in turn, continue to attend the NHS Grampian Clinical Governance Committee which oversees the clinical governance arrangements of all services delivered by health care staff employed by NHS Grampian.

9.6.3 In addition to the Clinical and Care Governance Committee, advice can be provided to the IJB and the Strategic Planning Group through the Clinical Executive Directors of NHS Grampian and the Chief Social Work Officer of the Council on professional / workforce, clinical / care and social care / social work governance matters relating to the development, delivery, and monitoring of the Strategic Plan, including the development of integrated service arrangements. The professional leads of the Parties can provide advice and raise issues directly with the IJB either in writing or through the representatives that sit on the IJB. The IJB will respond in writing to these issues, where asked to do so by the Parties.

9.6.4 The key principles for professional leadership are as follows:

- Job descriptions will reflect the level of professional responsibility at all levels of the workforce explicitly.
- The IJB will name the clinical lead and ensure representation of professional representation and assurance from both health and social care. The Director of Public Health, the Executive Nurse Director and Medical Director will continue to have professional managerial responsibility.
- All service development and redesign will outline participation of professional leadership from the outset, and this will be evidenced in all IJB papers.
- The effectiveness of the professional leadership principles will be reviewed annually.



## **10.1 Chief Officer**

10.1.1 The IJB shall appoint a Chief Officer in accordance with section 10 of the Act.

The arrangements in relation to the Chief Officer agreed by the Parties are:

10.1.2 An interim Chief Officer may be appointed by arrangements made jointly by the Chief Executives of both Parties at the request of the IJB.

10.1.3 The Chief Officer will be responsible for the operational management of the delegated services. Further arrangements in relation to the Chief Officer's responsibilities for strategic planning and operational management are determined by the Parties and set out in a separate document, which the IJB may amend from time to time.

10.1.4 The Chief Officer will be responsible for the development and monitoring of operational plans which set out the mechanism for the delivery of the Strategic Plan. The Chief Officer may sub-delegate decision making powers that have been delegated by NHSG and ACC where, in their opinion, it is appropriate and legitimate to do so.

10.1.5 The Chief Executive of NHS Grampian is the Accountable Officer for the delivery of the acute services that the IJB only has strategic planning responsibility for. The Chief Officer is accountable to the Chief Executive of NHS Grampian for the effective strategic planning of these services in line with current strategies or policies. NHS Grampian will agree with the IJB an appropriate performance and scrutiny framework to ensure that performance is delivered in line with strategic ambitions and national Outcomes.

10.1.6 The Chief Officer is a member of the appropriate senior/corporate management teams of NHS Grampian Health Board and the Council. This enables the Chief Officer to work closely with senior management of both Parties to carry out the functions of the IJB in accordance with the Strategic Plan.

- 10.1.7 The Chief Officer is line managed by and will report to the Chief Executive of the Council and the Chief Executive of NHS Grampian.
- 10.1.8 The Chief Officer will develop close working relationships with elected members of the Council and non-executive and executive NHS Grampian board members.
- 10.1.9 The Chief Officer will establish and maintain effective working relationships with a range of key stakeholders across NHS Grampian, the Council, the third and independent sectors, communities, service users and carers, the Scottish Government, trade unions and relevant professional organisations.
- 10.1.10 The Chief Officer will work with trade unions, staff side representatives and professional organisations to ensure a consistent approach to their continued involvement in the integration of health and social care.
- 10.2 NHS Grampian and the Council have established the post of Chief Operating Officer. The Chief Operating Officer shall support the Chief Officer of the IJB, be responsible for the strategic leadership of the Partnership and the delivery of the IJB's Strategic Plan. Further arrangements in relation to the Chief Operating Officer's responsibilities are determined by the Parties. Additionally, the Parties agree that the Chief Operating Officer shall act as Chief Officer, in the absence of the Chief Officer of the IJB, and that the IJB shall appoint the Chief Operating Officer in this capacity at the next meeting of the IJB, following the appointment of the Chief Operating Officer.

## **11. Workforce**

- 11.1 The arrangements in relation to their respective workforces agreed by the Parties are:
- 11.2 Staff engaged in the delivery of delegated services shall remain employed by their existing organisations on the date the IJB is established. If the roles of staff are to be transferred, the Parties will ensure that the principles of TUPE will be adhered to. The Parties will develop an agreed process for this which will be set out in a separate document.
- 11.3 The IJB is planning to have a fully integrated management arrangement where it is recognised teams will have individuals reporting through a person employed by the other organisation. Both Parties are in agreement that staff employed by them will be subject to direction from a manager from the other organisation.
- 11.4 Both Parties have workforce plans, and as the integrated teams are developed, so the integrated workforce plan will follow. The joint workforce plan will relate to the development and support to be provided to the workforce who are employed in pursuance of integrated services and functions.
- 11.5 The joint workforce plan will cover the strategic organisational development outcomes of the Parties and the IJB, including workforce planning and development, and will support the workforce in the delivery of integrated services. The plan will cover staff communication, staff engagement, staff and team development, leadership development and the training needs for staff that will be responsible for managing integrated teams. This will encourage the development of a healthy organisational culture. The Parties will work together in developing this plan along with stakeholders. The latest revision of the Workforce Plan was presented to the IJB in August 2022 although further development is required. The plan will continue to be reviewed regularly

through an agreed process to ensure that it takes account of the development needs of staff.

## **12. Finance**

### **12.1 Financial Governance**

12.1.1 Details of financial governance and Financial Regulations are contained in a separate document out with this Scheme.

### **12.2 Payments to the IJB – General**

12.2.1 The payment made by each Party is not an actual cash transaction for the IJB. There will be a requirement for an actual cash transfer to be made between the Parties to reflect the difference between the payment being made by a Party and the resources delegated by the IJB to that Party to deliver services.. A final transfer will be made at the end of the financial year on closure of the annual accounts of the IJB to reflect in-year budget adjustments agreed.

12.2.2 Resource Transfer – The existing resource transfer arrangements will cease upon establishment of the IJB and instead NHS Grampian will include the equivalent sum in its budget allocation to the IJB. The Council payment to the IJB will accordingly be reduced to reflect this adjustment.

12.2.3 Value Added Tax (VAT) – the budget allocations made will reflect the respective VAT status and treatments of the Parties. In general terms budget allocations by the Council will be made net of tax to reflect its status as a Section 33 body in terms of the Value Added Tax Act 1994 and those made by NHS Grampian will be made gross of tax to reflect its status as a Section 41 body in terms of the Value Added Tax Act 1994.

## **12.3 Payments to the IJB**

12.3.1 The payment that will be determined by each Party requires to be agreed in advance of the start of the financial year. Each Party agrees that the baseline payment to the IJB for delegated functions will be formally advised to the IJB and the other Party by 28<sup>th</sup> February each year.

12.3.2 In subsequent years, the Chief Officer and the Chief Finance Officer of the IJB will develop a case for the Integrated Budget based on the Strategic Plan and present it to the Council and NHS Grampian for consideration as part of the annual budget setting process, in accordance with the timescales contained therein. The case should be evidence based with full transparency on its assumptions and analysis of changes, covering factors such as activity changes, cost inflation, efficiencies, legal requirements, transfers to / from the “set aside” budget for hospital services and equity of resource allocation.

12.3.3 The final payment into the IJB will be agreed by the Parties in accordance with their own processes for budget setting.

12.3.4 Assuming 12.3.1 is complied with, the IJB will approve and provide direction to the Parties by 31<sup>st</sup> March each year regarding the functions that are being directed, how they are to be delivered and the resources to be used in delivery.

## **12.4 Method for determining the amount set aside for hospital services**

12.5.1 The IJB will be responsible for strategic planning, in partnership with the hospital sector, of those hospital services most commonly associated with the emergency care pathway.

12.5.2 The IJB and the hospital sector will agree a method for establishing the amount to be set aside for services that are delivered in a large hospital as part of the emergency care pathway which will show consumption by the residents of the IJB.

12.5.3 The method of establishing the set aside budget will take account of hospital activity data and cost information. Hospital activity data will reflect actual occupied bed day and admissions information, together with any planned changes in activity and case mix.

## **12.6 Financial Management of the IJB**

12.6.1 The Council will host the financial transactions specific to the IJB.

12.6.2 The IJB will appoint a Chief Finance Officer who will be accountable for the annual accounts preparation (including gaining the assurances required for the governance statement) and financial planning (including the financial section of the Strategic Plan) and will provide financial advice and support to the Chief Officer and the IJB. The Chief Finance Officer will also be responsible for the production of the annual financial statement in terms of section 39 of the Act.

12.6.3 As part of the process of preparing the annual accounts of the IJB the Chief Finance Officer of the IJB will be responsible for agreeing balances between the IJB and Parties at the end of the financial year and for agreeing details of transactions between the IJB and Parties during the financial year. The Chief Finance Officer of the IJB will also be responsible for provision of other information required by the Parties to complete their annual accounts including Group Accounts.

12.6.4 Recording of all financial information in respect of the integrated services will be in the financial ledger of the Party which is delivering the services on behalf of the IJB.

12.6.5 The Parties shall agree what financial administration agreements are required to enable the transactions for delegated functions (e.g., payment of suppliers, payment of staff, raising of invoices etc.) to be administered and financial reports to be provided to the Chief Finance Officer of the IJB.

## **12.7 Financial reporting to the IJB and the Chief Officer**

12.7.1 Financial reports for the IJB will be prepared by the Chief Finance Officer of the IJB. The format and frequency of the reports shall be agreed by the Parties and the IJB but will be at least on a quarterly basis. The Director of Finance of NHS Grampian and the Section 95 Officer of the Council will work with the Chief Finance Officer of the IJB to ensure that the information that is required to produce such reports can be provided.

12.7.2 To assist with the above the Parties will provide information to the Chief Finance Officer of the IJB regarding costs incurred by them on a quarterly basis for services directly managed by the IJB. Similarly, NHS Grampian will provide the IJB with information on use of the amounts set aside for hospital services. This information will focus on patient activity levels and not include unit costs; the frequency will be agreed with the IJB but will be at least quarterly.

The Chief Finance Officer of the IJB will agree a timetable for the preparation of the annual accounts in partnership with the Director of Finance of NHS Grampian and the Section 95 Officer of the Council.

12.7.3 In order to give assurance to the Parties that the delegated budgets are being used for their intended purposes, financial monitoring reports will be produced for the Parties in accordance with timetables to be agreed at the start of each financial year. The format of such reports to be agreed by the Director of Finance of NHS Grampian and the Section 95

Officer of the Council, in conjunction with the Chief Finance Officer of the IJB.

## **12.8 The process for addressing in year variations in the spending of the IJB**

### **12.8.1 Increases in payment by Parties to the IJB**

The Parties may increase in-year the payments to the IJB for the delegated services with the agreement of the IJB.

### **12.8.2 Reductions in payment by Parties to the IJB**

12.8.2.1 The Parties do not expect to reduce the payment to the IJB in-year unless there are exceptional circumstances resulting in significant unplanned costs for the Party. In such exceptional circumstances the following escalation process would be followed before any reduction to the in-year payment to the IJB was agreed: -

- a) The Party would seek to manage the unplanned costs within its own resources, including the application of reserves where applicable.
- b) Each Party would need to approve any decision to seek to reduce the in-year payment to the IJB.
- c) Any final decision would need to be agreed by the Chief Executives of both Parties and by the Chief Officer of the IJB and be ratified by the Parties and the IJB.

### **12.8.3 Variations to the planned payments by the IJB**

12.8.3.1 The Chief Officer is expected to deliver the agreed outcomes within the total delegated resources of the IJB. Where a forecast overspend against an element of the operational budget emerges during the financial year, in the first instance it is expected that the Chief Officer, in conjunction with the Chief



Finance Officer of the IJB, will agree corrective action with the IJB.

- 12.8.3.2 If this does not resolve the overspending issue then the Chief Officer, the Chief Finance Officer of the IJB and the Director of Finance of NHS Grampian and the Section 95 Officer of the Council must agree a recovery plan to balance the overspending budget.

#### **12.8.4 IJB Overspend against payments**

- 12.8.4.1 In the event that the recovery plan is unsuccessful and an overspend is evident at the year-end, uncommitted reserves held by the IJB, in line with the reserves policy, would firstly be used to address any overspend.

- 12.8.4.2 In the event that an overspend is evident following the application of reserves, the following arrangements will apply for addressing that overspend: -

- 12.8.4.3 In future years of the IJB, either:

a) A single Party may make an additional one-off payment to the IJB,

or

b) The Parties may jointly make additional one-off payments to the IJB in order to meet the overspend. The split of one-off payments between Parties in this circumstance will be based on each Party's proportionate share of the baseline payment to the IJB, regardless of in which arm of the operational budget the overspend has occurred in.

12.8.4.4 The recovery plan may include provision for the Parties to recover any such additional one-off payments from their baseline payment to the IJB in the next financial year.

12.8.4.5 The arrangement to be adopted will be agreed by the Parties.

### **12.8.5 IJB underspend against payments**

12.8.5.1 In the event of a forecast underspend the IJB will require to decide whether this results in a redetermination of payment or whether surplus funds will contribute to the IJB's reserves.

12.8.5.2 The Chief Officer and Chief Finance Officer of the IJB will prepare a reserves policy for the IJB, which requires the approval of the IJB and the Director of Finance of NHS Grampian and the Section 95 Officer of the Council. The reserves policy will be reviewed on a periodic basis.

12.8.5.3 In the event of a return of funds to the Parties, the split of returned payments between Parties will be based on each Party's proportionate share of the baseline payment to the IJB, regardless of which arm of the operational budget the underspend occurred in.

### **12.8.6 Planned Changes in Large Hospital Services**

12.8.6.1 The IJB and the hospital sector will agree a methodology for the financial consequences of planned changes in capacity for set aside budgets in large hospital services.

12.8.6.2 Planned changes in capacity for large hospital services will be outlined in the IJB Strategic Plan. A financial plan (reflecting any planned capacity changes) will be developed and agreed that

sets out the capacity and resource levels required for the set aside budget for the IJB and the hospital sector, for each year.

The financial plan will take account of :-

- activity changes based on demographic change;
- agreed activity changes from new interventions;
- cost behaviour;
- hospital efficiency and productivity targets;
- an agreed schedule for timing of additional resource / resource released.

12.8.6.3 The process for making adjustments to the set aside resource to reflect variances in performance against plan will be agreed by the IJB and the Health Board. Changes will not be made in year and any changes will be made by annual adjustments to the Strategic Plan of the IJB.

## **12.9 Capital**

### **12.9.1 The use of capital assets in relation to integration functions**

12.9.1.1 Ownership of capital assets will continue to sit with each Party and capital assets are not part of the payment or “set aside”.

12.9.1.2 If the IJB decides to fund a new capital asset from revenue funds, then ownership of the resulting asset shall be determined by the Parties.

12.9.1.3 The Strategic Plan will drive the financial strategy and will provide the basis for the IJB to present proposals to the Parties to influence capital budgets and prioritisation.

- 12.9.1.4 A business case with a clear position on funding is required for any change to the use of existing assets or proposed use of new assets. The Chief Officer of the IJB is to develop business cases for capital investment for consideration by NHS Grampian and the Council as part of their respective capital planning processes.
- 12.9.1.5 The Chief Officer of the IJB will liaise with the relevant officer within each Party in respect of day-to-day asset related matters including any consolidation or relocation of operational teams.
- 12.9.1.6 It is anticipated that the Strategic Plan will outline medium term changes in the level of budget allocations for assets used by the IJB that will be acceptable to the Parties.
- 12.9.1.7 Any profits or loss on sale of an asset will be held by the Parties and not allocated to the IJB.
- 12.9.1.8 Depreciation budgets for assets used on delegated functions will continue to be held by each Party and not allocated to the IJB operations in scope.
- 12.9.1.9 The management of all other associated running costs (e.g. maintenance, insurance, repairs, rates, utilities) will be subject to local agreement between the Parties and the IJB.

### **13. Participation and Engagement**

- 13.1 A joint consultation on the Scheme took place before it was first put in place. Whenever the scheme is reviewed in future, there will be further joint consultation.

- 13.2 Media notifications will be issued for members of the public that reside within Aberdeen. Staff will be alerted to the proposed revisions to the scheme. An email address will be supplied for people to send their views.
- 13.3 The consultation draft Scheme will then be presented to NHS Grampian Board and elected members of the Council.
- 13.4 Principles endorsed by the Scottish Health Council and the National Standards for Community Engagement were agreed by the Parties and followed in respect of the consultation process, including the following:
- 13.4.1 It will be a genuine consultation exercise: the views of all participants are valued.
- 13.4.2 It will be transparent: the results of the consultation exercise will be published.
- 13.4.3 It will be an accessible consultation: the consultation documentation will be provided in a variety of formats.
- 13.4.4 It will be led by the Chief Officer: the Chief Officer and the IJB will be answerable to the people of Aberdeen City in terms of the content of the Scheme.
- 13.4.5 It will be part of an on-going dialogue: the Integration Scheme will establish the parameters of the future strategic plans of the IJB.
- 13.5 The stakeholders consulted in the development of this Scheme were:
- Health professionals.
  - Users of health care.
  - Future users of health care.
  - Carers of users of health care.
  - Commercial providers of health care.
  - Non-commercial providers of health care.
  - Social care professionals.
  - Users of social care.
  - Future users of social care.

- Carers of users of social care.
- Commercial providers of social care.
- Non-commercial providers of social care.
- Staff of NHS Grampian and the Council who are not health professionals or social care professionals.
- Non-commercial providers of social housing.
- Third sector bodies carrying out activities related to health or social care; and
- Other local authorities operating with the area of NHS Grampian preparing an integration scheme.

13.6 The Parties enabled the IJB to develop a Communications and Engagement Strategy by providing appropriate resources and support. The Communications and Engagement Strategy ensures significant engagement with, and participation by, members of the public, representative groups and other organisations in relation to decisions about the carrying out of integration functions. The Parties encourage the IJB to access existing forums that the Parties have established, such as Public Partnership Forums, Community Councils, groups and other networks and stakeholder groups with an interest in health and social care.

#### **14. Information Sharing and Confidentiality**

14.1 The Parties have agreed to an appropriate information sharing accord for the sharing of information in relation to integrated services. The information sharing accord sets out the principles, policies, procedures, and management strategies around which information sharing is carried out. It encapsulates national and legal requirements.

14.2 The Parties will work together to progress the specific arrangements, practical policies and procedures, designated responsibilities and any additional requirements for information sharing for any purpose connected with the preparation of an integration scheme, the preparation of a strategic plan or the carrying out of integration functions.

- 14.4 If the Parties consider that a further high-level accord or information sharing protocol is required, or if amendments are necessary to existing ones, they shall prepare these and make them available with their recommendation to the IJB in the first instance for comment.
- 14.5 If a new information sharing accord and/or procedures for information sharing are necessary, these will be agreed to by the Parties. . Where the Parties agree that the arrangements for information sharing do not require the drafting of a new information sharing protocol, each Party shall confirm to its staff that the guidance in place is appropriate and up to date.
- 14.6 The information sharing accord may be amended or replaced by agreement of the Parties and the IJB.
- 14.7 The Parties will continue to develop information technology systems and procedures to enable information to be shared appropriately and effectively between the Parties and the IJB.

## **15. Complaints**

- 15.1 The Parties agree the following arrangements in respect of complaints:
- 15.2 Complaints should continue to be made to the Parties using the existing mechanisms.
- 15.3 Complaints can be made to the Parties through any member of staff providing integrated services. Complaints can be made in person, by telephone, by email, or in writing. On completion of the complaints procedure, complainants may ask for a review of the outcome. At the end of the complaints process, complainants are entitled to take their complaint to the Scottish Public Services Ombudsman (or any such successor). Where appropriate,

complainants will also be advised of their right to complain to the Care Inspectorate (or any such successor).

- 15.4 The Parties shall communicate with each other in relation to any complaint which requires investigation or input from the other organisation.
- 15.5 The Chief Officer will have an overview of complaints made about delegated services and subsequent responses. Complaints about delegated services will be recorded and reported to the Chief Officer on a regular and agreed basis.
- 15.6 The Parties and the IJB shall develop a process for complaints against the IJB and the Chief Officer which will follow any Scottish Government Guidance and existing statutory complaints procedures which operate within the respective Parties.
- 15.7 The Parties and the IJB will use complaints as a valuable tool for improving services and to identify areas where further staff training may be of benefit.
- 15.8 The Parties and the IJB will ensure that all staff working in the provision of delegated services are familiar with the complaints procedures and that they can direct individuals to the appropriate complaints' procedures.
- 15.9 The complaints procedures developed and referred to, at clause 15.6 above will be clearly explained, well-publicised, accessible, will allow for timely recourse and will sign-post independent advocacy services.
- 15.10 The Parties and the IJB will aspire to have a streamlined process for complaints, to ensure that there is an integrated approach to the handling of the complaint from the complainer's perspective. When this is achieved, the Scheme will be amended using the procedure required by the Act.
- 15.11 In developing a streamlined process for complaints, the Parties shall ensure that all statutory requirements will continue to be met, including timescales for responding to complaints.



15.12 In developing a single complaints process, the IJB will endeavour to develop a uniform way to review unresolved complaints before signalling individuals to the appropriate statutory review authority.

## **16. Claims Handling, Liability & Indemnity**

16.1 The Parties and the IJB recognise that they could receive a claim arising from or which relates to the work undertaken on behalf of the IJB.

16.2 The Parties agree to ensure that any such claims are progressed quickly and in a manner which is equitable between them.

16.3 So far as reasonably practicable the normal common law and statutory rules relating to liability will apply.

16.4 Each party will assume responsibility for progressing and determining any claim which relates to any act or omission on the part of one of their employees.

16.5 Each party will assume responsibility for progressing and determining any claim which relates to any heritable property which is owned by them. If there are any heritable properties owned jointly by the Parties, further arrangements for liability will be agreed upon in consultation with insurers.

16.6 In the event of any claim against the IJB or in respect of which it is not clear which party should assume responsibility then the Chief Officer (or his/her representative) will liaise with the Chief Executives of the Parties (or their representatives) and determine which party should assume responsibility for progressing the claim.

16.7 If a claim is settled by either party, but it subsequently transpires that liability rested with the other party, then that party shall indemnify the party which settled the claim.

- 16.8 Claims regarding policy and/or strategic decisions made by the IJB shall be the responsibility of the IJB. The IJB may require to engage independent legal advice for such claims.
- 16.9 If a claim has a “cross boundary” element whereby it relates to another integration authority area, the Chief Officers of the integration authorities concerned shall liaise with each other until an agreement is reached as to how the claim should be progressed and determined.
- 16.10 The IJB will develop a procedure for claims relating to hosted services with the other relevant integration authorities. Such claims may follow a different procedure than as set out above.
- 16.11 Claims which pre-date the establishment of the IJB will be dealt with by the Parties through the procedures used by them prior to integration.

## **17. Risk Management**

- 17.1 A shared risk management strategy is in place which includes risk monitoring and a reporting process for the Parties and the IJB. This will be updated as needed and particularly when this scheme is revised, and any additional functions delegated so that it is updated by the time such functions are delegated to the IJB. In developing this shared risk management strategy, the Parties reviewed the shared risk management arrangements in operation, including the Parties’ own Risk Registers.
- 17.2 There will be shared risk management across the Parties and the IJB for significant risks that impact on integrated service provision. The Parties and the IJB will consider these risks as a matter of course and notify each other where the risks may have changed.
- 17.3 The Parties will provide the IJB with support, guidance and advice through their respective Risk Managers, in order to be reassured that the IJB’s Risk Register is credible and appropriate.

- 17.4 A single Strategic Risk Register has been developed for the IJB. The process used in developing a single Risk Register involved members of the IJB establishing a risk framework by identifying risks to the development of the Strategic Plan. This risk framework in turn was used by operational units of integrated services and each unit was required to contribute towards the Risk Register by identifying relevant risks and mitigation of those risks.
- 17.5 The single Risk Register will continue to be developed alongside the Strategic Plan and will be modified as necessary in line with the development of the Strategic Plan. The single Risk Register will be completed and available to the IJB for the date functions are delegated to the IJB.
- 17.6 Any changes to risk management strategies shall be requested through formal paper to the IJB.

## **18. Dispute resolution mechanism**

- 18.1 This provision relates to disputes between NHS Grampian and the Council in respect of the IJB or in respect of their duties under the Act. This provision does not apply to internal disputes within the IJB itself.
- 18.2 Where either of the Parties fails to agree with the other on any issue related to this Scheme and/or the delivery of delegated health and social care services, then they will follow the process as set out below:
- (a) The Chief Executives of NHS Grampian and the Council and the Chief Officer of the IJB will meet to resolve the issue.
- (b) If unresolved, NHS Grampian and the Council and the IJB will each prepare a written note of their position on the issue and exchange it with the others within 21 calendar days of the meeting in (a).

(c) Within 21 calendar days of the exchange of written notes in (b) the Chief Executives and Chief Officer must meet to discuss the written positions.

(d) In the event that the issue remains unresolved, the Chief Executives and the Chief Officer will proceed to mediation with a view to resolving the issue. The Chief Officer will appoint a professional independent mediator. The cost of mediation, if any, will be split equally between the Parties. The mediation process will commence within 28 calendar days of the meeting in (c).

(e) Where the issue remains unresolved after following the processes outlined in (a)-(d) above and if mediation does not allow an agreement to be reached within 6 months from its commencement, or any other such time as the parties may agree, either party may notify Scottish Ministers that agreement cannot be reached.

(f) Where the Scottish Ministers make a determination on the dispute, that determination shall be final and the Parties and the IJB shall be bound by the determination.

**Annex 1  
Part 1**

**Functions delegated by the Health Board to the Integration Joint Board**

The functions which are to be delegated by NHS Grampian to the Integration Joint Board are set out in this Part 1 of Annex 1 and are subject to the exceptions and restrictions specified or referred to. The services to which these functions relate are set out in Part 2 of this Annex 1.

Schedule 1                      Regulation 3

Functions prescribed for the purposes of section 1(8) of the Act

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*Column A*

*Column B*

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**The National Health Service (Scotland) Act 1978**

All functions of Health Boards conferred by, or by virtue of, the National Health Service (Scotland) Act 1978	Except functions conferred by or by virtue of— section 2(7) (Health Boards);  section 2CB <sup>(1)</sup> (Functions of Health Boards outside Scotland);  section 9 (local consultative committees);  section 17A (NHS Contracts);  section 17C (personal medical or dental services);  section 17I <sup>(2)</sup> (use of accommodation);
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<sup>(1)</sup> Section 2CA was inserted by S.S.I. 2010/283, regulation 3(2).

section 17J (Health Boards' power to enter into general medical services contracts);

section 28A (remuneration for Part II services);

section 38<sup>(3)</sup> (care of mothers and young children);

section 38A<sup>(4)</sup> (breastfeeding);

section 39<sup>(5)</sup> (medical and dental inspection, supervision and treatment of pupils and young persons);

section 48 (provision of residential and practice accommodation);

section 55<sup>(6)</sup> (hospital accommodation on part payment);

section 57 (accommodation and

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<sup>(2)</sup> Section 17I was inserted by the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2 and amended by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 4. The functions of the Scottish Ministers under section 17I are conferred on Health Boards by virtue of S.I. 1991/570, as amended by S.S.I. 2006/132.

<sup>(3)</sup> The functions of the Secretary of State under section 38 are conferred on Health Boards by virtue of S.I. 1991/570.

<sup>(4)</sup> Section 38A was inserted by the Breastfeeding etc. (Scotland) Act 2005 (asp 1), section 4. The functions of the Scottish Ministers under section 38A are conferred on Health Boards by virtue of S.I. 1991/570 as amended by S.S.I. 2006/132.

<sup>(5)</sup> Section 39 was relevantly amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c.39) Schedule 11; the Health and Medicines Act 1988 (c.49) section 10 and Schedule 3 and the Standards in Scotland's Schools Act 2000 (asp 6), schedule 3.

<sup>(6)</sup> Section 55 was amended by the Health and Medicines Act 1988 (c.49), section 7(9) and Schedule 3 and the National Health Service and Community Care Act 1990 (c.19), Schedule 9. The functions of the Secretary of State under section 55 are conferred on Health Boards by virtue of S.I. 1991/570.

services for private patients);

section 64 (permission for use of facilities in private practice);

section 75A<sup>(7)</sup> (remission and repayment of charges and payment of travelling expenses);

section 75B<sup>(8)</sup>(reimbursement of the cost of services provided in another EEA state);

section 75BA <sup>(9)</sup>(reimbursement of the cost of services provided in another EEA state where expenditure is incurred on or after 25 October 2013);

section 79 (purchase of land and moveable property);

section 82<sup>(10)</sup> use and administration of certain endowments and other property held by Health Boards);

section 83<sup>(11)</sup> (power of Health Boards and local health councils to hold property on trust);

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<sup>(7)</sup> Section 75A was inserted by the Social Security Act 1988 (c.7), section 14, and relevantly amended by S.S.I. 2010/283. The functions of the Scottish Ministers in respect of the payment of expenses under section 75A are conferred on Health Boards by S.S.I. 1991/570.

<sup>(8)</sup> Section 75B was inserted by S.S.I. 2010/283, regulation 3(3) and amended by S.S.I. 2013/177.

<sup>(9)</sup> Section 75BA was inserted by S.S.I. 2013/292, regulation 8(4).

<sup>(10)</sup> Section 82 was amended by the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 7) section 1(2) and the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 2.

<sup>(11)</sup> There are amendments to section 83 not relevant to the exercise of a Health Board's functions under that section.

section 84A<sup>(12)</sup> (power to raise money, etc., by appeals, collections etc.);

section 86 (accounts of Health Boards and the Agency);

section 88 (payment of allowances and remuneration to members of certain bodies connected with the health services);

section 98 <sup>(13)</sup> (charges in respect of non-residents); and

paragraphs 4, 5, 11A and 13 of Schedule 1 to the Act (Health Boards);

and functions conferred by—

The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 <sup>(14)</sup>;

The Health Boards (Membership and Procedure) (Scotland) Regulations 2001/302;

The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland)

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<sup>(12)</sup> Section 84A was inserted by the Health Services Act 1980 (c.53), section 5(2). There are no amendments to section 84A which are relevant to the exercise of a Health Board's functions.

<sup>(13)</sup> Section 98 was amended by the Health and Medicines Act 1988 (c.49), section 7. The functions of the Secretary of State under section 98 in respect of the making, recovering, determination and calculation of charges in accordance with regulations made under that section is conferred on Health Boards by virtue of S.S.I. 1991/570.

<sup>(14)</sup> S.I. 1989/364, as amended by S.I. 1992/411; S.I. 1994/1770; S.S.I. 2004/369; S.S.I. 2005/455; S.S.I. 2005/572 S.S.I. 2006/141; S.S.I. 2008/290; S.S.I. 2011/25 and S.S.I. 2013/177.



Regulations 2000/54;

The National Health Services  
(Primary Medical Services Performers  
Lists) (Scotland) Regulations  
2004/114;

The National Health Service (Primary  
Medical Services Section 17C  
Agreements) (Scotland) Regulations  
2004;

The National Health Service  
(Discipline Committees) Regulations  
2006/330;

The National Health Service (General  
Ophthalmic Services) (Scotland)  
Regulations 2006/135;

The National Health Service  
(Pharmaceutical Services) (Scotland)  
Regulations 2009/183;

The National Health Service (General  
Dental Services) (Scotland)  
Regulations 2010/205; and

The National Health Service (Free  
Prescription and Charges for Drugs  
and Appliances) (Scotland)  
Regulations 2011/55<sup>(15)</sup>.

## **Disabled Persons (Services, Consultation and Representation) Act 1986**

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<sup>(15)</sup> S.S.I. 2011/55, to which there are amendments not relevant to the exercise of a Health Board's functions.

## Section 7

(Persons discharged from hospital)

### **Community Care and Health (Scotland) Act 2002**

All functions of Health Boards conferred by, or by virtue of, the Community Care and Health (Scotland) Act 2002.

### **Mental Health (Care and Treatment) (Scotland) Act 2003**

All functions of Health Boards conferred by, or by virtue of, the Mental Health (Care and Treatment) (Scotland) Act 2003.

Except functions conferred by—

section 22 (Approved medical practitioners);

section 34 (Inquiries under section 33: co-operation) <sup>(16)</sup>;

section 38 (Duties on hospital managers: examination notification etc.) <sup>(17)</sup>;

section 46 (Hospital managers' duties: notification) <sup>(18)</sup>;

section 124 (Transfer to other hospital);

section 228 (Request for assessment of needs: duty on local authorities and Health Boards);

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<sup>(16)</sup> There are amendments to section 34 not relevant to the exercise of a Health Board's functions under that section.

<sup>(17)</sup> Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards under that Act.

<sup>(18)</sup> Section 46 is amended by S.S.I. 2005/465.

section 230 (Appointment of a patient's responsible medical officer);

section 260 (Provision of information to patients);

section 264 (Detention in conditions of excessive security: state hospitals);

section 267 (Orders under sections 264 to 266: recall);

section 281<sup>(19)</sup> (Correspondence of certain persons detained in hospital);

and functions conferred by—

The Mental Health (Safety and Security) (Scotland) Regulations 2005<sup>(20)</sup>;

The Mental Health (Cross Border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005<sup>(21)</sup>;

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<sup>(19)</sup> Section 281 is amended by S.S.I. 2011/211.

<sup>(20)</sup> S.S.I. 2005/464, to which there are amendments not relevant to the exercise of the functions of a Health Board. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of “managers” relevant to the functions of Health Boards.

<sup>(21)</sup> S.S.I. 2005/467. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of “managers” relevant to the functions of Health Boards.

The Mental Health (Use of Telephones) (Scotland) Regulations 2005<sup>(22)</sup>; and

The Mental Health (England and Wales Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2008<sup>(23)</sup>.

### **Education (Additional Support for Learning) (Scotland) Act 2004**

Section 23

(other agencies etc. to help in exercise of functions under this Act)

### **Public Services Reform (Scotland) Act 2010**

All functions of Health Boards conferred by, or by virtue of, the Public Services Reform (Scotland) Act 2010 Except functions conferred by— section 31(Public functions: duties to provide information on certain expenditure etc.); and

section 32 (Public functions: duty to provide information on exercise of functions).

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<sup>(22)</sup> S.S.I. 2005/468. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of “managers” relevant to the functions of Health Boards.

<sup>(23)</sup> S.S.I. 2008/356. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of “managers” relevant to the functions of Health Boards.

## **Patient Rights (Scotland) Act 2011**

All functions of Health Boards conferred by, or by virtue of, the Patient Rights (Scotland) Act 2011 Except functions conferred by The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012/36<sup>(25)</sup>.

Carers (Scotland) Act 2016

Section 31

(Duty to prepare local carer strategy)<sup>24</sup>

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## **Part 2**

**Services currently provided by the Health Board which are to be delegated**

### **Interpretation of this Part 2 Annex 1**

#### **A**

### **Interpretation of Schedule 3**

1. In this Part—

“Allied Health Professional” means a person registered as an allied health professional with the Health Professions Council;

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<sup>24</sup> Inserted by Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Amendment Regulations 2017/381 (Scottish SI) reg. 2 (December 18, 2017)

<sup>(25)</sup> S.S.I. 2012/36. Section 5(2) of the Patient Rights (Scotland) Act 2011 (asp 5) provides a definition of “relevant NHS body” relevant to the exercise of a Health Board’s functions.

“general medical practitioner” means a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;

“general medical services contract” means a contract under section 17J of the National Health Service (Scotland) Act 1978;

“hospital” has the meaning given by section 108(1) of the National Health Service (Scotland) Act 1978;

“inpatient hospital services” means any health care service provided to a patient who has been admitted to a hospital and is required to remain in that hospital overnight, but does not include any secure forensic mental health services;

“out of hours period” has the same meaning as in regulation 2 of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004<sup>(26)</sup>; and

“the public dental service” means services provided by dentists and dental staff employed by a health board under the public dental service contract.

## **B**

### **Provision for people over the age of 18**

*The functions listed in Part 1 of this Annex 1 are delegated only to the extent that:*

- a) the function is exercisable in relation to persons of at least 18 years of age;*
  - b) the function is exercisable in relation to care or treatment provided by health professionals for the purpose of health care services listed at numbers 2 to 7 below; and*
  - c) the function is exercisable in relation to the following health services*
- 2.** Accident and Emergency services provided in a hospital.

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<sup>(26)</sup> S.S.I. 2004/115.

3. Inpatient hospital services relating to the following branches of medicine—
  - (a) general medicine.
  - (b) geriatric medicine.
  - (c) rehabilitation medicine;
  - (d) respiratory medicine; and
  - (e) psychiatry of learning disability.
  
4. Palliative care services provided in a hospital.
  
5. Inpatient hospital services provided by General Medical Practitioners.
  
6. Services provided in a hospital in relation to an addiction or dependence on any substance.
  
7. Mental health services, including –
  - (a) Inpatient and specialist services at the Royal Cornhill Hospital
  - (b) Inpatient and specialist services at Elmwood at Royal Cornhill Hospital
  - (c) Residential Community Rehabilitation Service at Polmuir Road
  - (d) Residential Forensic Community Rehabilitation Facility at Great
  - (e) Western Lodge
  - (f) Psychotherapy (outpatient)
  - (g) Eating Disorder Service (outpatient)
  - (h) Eden Unit (North of Scotland)
  - (i) Managed Clinical Network for Eating Disorders
  - (j) Adult Liaison Psychiatry Service
  - (k) Older Adult Liaison Psychiatry Service
  - (l) Unscheduled Care
  - (m) Rehabilitation Services (outpatient) for Adult Mental Health
  - (n) Forensic Services
  - (o) Perinatal Services
  - (p) Gender Identity Services
  - (q) Child and Adolescent Mental Health Service
  - (r) Business and Support Management Services across inpatient and specialist services

(s) Psychiatry of learning disability

8. District nursing services.
9. Services provided outwith a hospital in relation to an addiction or dependence on any substance.
10. Services provided by allied health professionals in an outpatient department, clinic, or outwith a hospital.
11. The public dental service.
12. Primary medical services provided under a general medical services contract, and arrangements for the provision of services made under section 17C of the National Health Service (Scotland) Act 1978, or an arrangement made in pursuance of section 2C(2) of the National Health Service (Scotland) Act 1978<sup>(27)</sup>.
13. General dental services provided under arrangements made in pursuance of section 25 of the National Health (Scotland) Act 1978<sup>(28)</sup>.
14. Ophthalmic services provided under arrangements made in pursuance of section 17AA or section 26 of the National Health Service (Scotland) Act 1978<sup>(29)</sup>.

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<sup>(27)</sup> Section 2C was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 1(2) and relevantly amended by the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 1, and the Tobacco and Primary Medical Services (Scotland) Act 2010 (asp 3), section 37.

<sup>(28)</sup> Section 25 was relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 15.

<sup>(29)</sup> Section 17AA was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 31(2) and relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 25. Section 26 was relevantly amended by the Health and Social Security Act 1984 (c.48), Schedule 1, and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) section 13.



15. Pharmaceutical services and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978<sup>(30)</sup>.
16. Services providing primary medical services to patients during the out-of-hours period.
17. Services provided outwith a hospital in relation to geriatric medicine.
18. Palliative care services provided outwith a hospital.
19. Community learning disability services.
20. Mental health services provided outwith a hospital.
21. Continence services provided outwith a hospital.
22. Kidney dialysis services provided outwith a hospital.
23. Services provided by health professionals that aim to promote public health.
24. Sexual health services provided in the community.

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<sup>(30)</sup> Section 27 was relevantly amended by the Health Services Act 1990 (c.53), section 20; the National Health Service and Community Care Act 1990 (c.19), Schedule 9; the Medicinal Products: Prescription by Nurses etc. Act 1992 (c.28), section 3; the National Health Service and Community Care Act 1997 (c.46), Schedule 2 and the Health and Social Care Act 2001 (c.15), section 44.

## C

### Provision for people under the age of 18

The functions listed in Part 1 of Annex 1 are also delegated to the extent that:

a) the function is exercisable in relation to persons of less than 18 years of age; and

b) the function is exercisable in relation to the following health services:

25. The public dental service.
26. Primary medical services provided under a general medical services contract, and arrangements for the provision of services made under section 17C of the National Health Service (Scotland) Act 1978, or an arrangement made in pursuance of section 2C(2) of the National Health Service (Scotland) Act 1978<sup>(31)</sup>.
27. General dental services provided under arrangements made in pursuance of section 25 of the National Health (Scotland) Act 1978<sup>(32)</sup>.
28. Ophthalmic services provided under arrangements made in pursuance of section 17AA or section 26 of the National Health Service (Scotland) Act 1978<sup>(33)</sup>.

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<sup>(31)</sup> Section 2C was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 1(2) and relevantly amended by the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 1, and the Tobacco and Primary Medical Services (Scotland) Act 2010 (asp 3), section 37.

<sup>(32)</sup> Section 25 was relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 15.

<sup>(33)</sup> Section 17AA was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 31(2) and relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 25. Section 26 was relevantly amended by the Health and Social Security Act 1984 (c.48), Schedule 1, and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) section 13.

29. Pharmaceutical services and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978<sup>(33)</sup>.

### **Part 3**

**Services currently provided by the Health Board to those under 18 years of age, which are to be operationally devolved to the Chief Officer of the Integration Joint Board.**

1. Health Visiting
2. School Nursing
3. All services provided by Allied Health Professionals, as defined in Part 2A of this Annex 1, in an outpatient department, clinic, or outwith a hospital.
4. Child and Adolescent Mental Health Service

## Annex 2

### Part 1

#### Functions delegated by the Local Authority to the Integration Joint Board

##### Schedule 2 Regulation 2

###### *Part 1*

Functions prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

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<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

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#### **National Assistance Act 1948<sup>(34)</sup>**

##### Section 48

(Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)

#### **The Disabled Persons (Employment) Act 1958<sup>(35)</sup>**

##### Section 3

(Provision of sheltered employment by local authorities)

#### **The Social Work (Scotland) Act 1968<sup>(36)</sup>**

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<sup>(34)</sup> 1948 c.29; section 48 was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 39, paragraph 31(4) and the Adult Support and Protection (Scotland) Act 2007 (asp 10) schedule 2 paragraph 1.

<sup>(35)</sup> 1958 c.33; section 3 was amended by the Local Government Act 1972 (c.70), section 195(6); the Local Government (Scotland) Act 1973 (c.65), Schedule 27; the National Health Service (Scotland) Act 1978 (c.70), schedule 23; the Local Government Act 1985 (c.51), Schedule 17; the Local Government (Wales) Act 1994 (c.19), Schedules 10 and 18; the Local Government etc. (Scotland) Act 1994 (c.49), Schedule 13; and the National Health Service (Consequential Provisions) Act 2006 (c.43), Schedule 1.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 1 (Local authorities for the administration of the Act.)	So far as it is exercisable in relation to another integration function.
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Section 4 (Provisions relating to performance of functions by local authorities.)	So far as it is exercisable in relation to another integration function.
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<sup>(36)</sup> 1968 c.49; section 1 was relevantly amended by the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Children Act 1989 (c.41), Schedule 15; the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), schedule 10; S.S.I. 2005/486 and S.S.I. 2013/211. Section 4 was amended by the 1990 Act, Schedule 9, the Children (Scotland) Act 1995 (c.36) (“the 1995 Act”), schedule 4; the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) (“the 2003 Act”), schedule 4; and S.S.I. 2013/211. Section 10 was relevantly amended by the Children Act 1975 (c.72), Schedule 2; the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13; the Regulation of Care (Scotland) Act 2001 (asp 8) (“the 2001 Act”) schedule 3; S.S.I. 2010/21 and S.S.I. 2011/211. Section 12 was relevantly amended by the 1990 Act, section 66 and Schedule 9; the 1995 Act, Schedule 4; and the Immigration and Asylum Act 1999 (c.33), section 120(2). Section 12A was inserted by the 1990 Act, section 55, and amended by the Carers (Recognition and Services) Act 1995 (c.12), section 2(3) and the Community Care and Health (Scotland) Act 2002 (asp 5) (“the 2002 Act”), sections 8 and 9(1). Section 12AZA was inserted by the Social Care (Self Directed Support) (Scotland) Act 2013 (asp 1), section 17. Section 12AA and 12AB were inserted by the 2002 Act, section 9(2). Section 13 was amended by the Community Care (Direct Payments) Act 1996 (c.30), section 5. Section 13ZA was inserted by the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 64. Section 13A was inserted by the 1990 Act, section 56 and amended by the Immigration and Asylum Act 1999 (c.33), section 102(2); the 2001 Act, section 72 and schedule 3; the 2002 Act, schedule 2 and by S.S.I. 2011/211. Section 13B was inserted by the 1990 Act sections 56 and 67(2) and amended by the Immigration and Asylum Act 1999 (c.33), section 120(3). Section 14 was amended by the Health Services and Public Health Act 1968 (c.46), sections 13, 44 and 45; the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Guardianship Act 1973 (c.29), section 11(5); the Health and Social Service and Social Security Adjudications Act 1983 (c.41), schedule 10 and the 1990 Act, schedule 9. Section 28 was amended by the Social Security Act 1986 (c.50), Schedule 11 and the 1995 Act, schedule 4. Section 29 was amended by the 1995 Act, schedule 4. Section 59 was amended by the 1990 Act, schedule 9; the 2001 Act, section 72(c); the 2003 Act, section 25(4) and schedule 4 and by S.S.I. 2013/211.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 8 (Research.)	So far as it is exercisable in relation to another integration function.
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	So far as it is exercisable in relation to another integration function.
Section 12 (General social welfare services of local authorities.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 12A (Duty of local authorities to assess needs.)	So far as it is exercisable in relation to another integration function.
Section 12AZA (Assessments under section 12A - assistance)	So far as it is exercisable in relation to another integration function.
Section 13 (Power of local authorities to assist persons in need in disposal of produce of their work.)	
Section 13ZA (Provision of services to incapable adults.)	So far as it is exercisable in relation to another integration function.
Section 13A (Residential accommodation with nursing.)	
Section 13B (Provision of care or aftercare.)	

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 14 (Home help and laundry facilities.)	
Section 28 (Burial or cremation of the dead.)	So far as it is exercisable in relation to persons cared for or assisted under another integration function.
Section 29 (Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)	
Section 59 (Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)	So far as it is exercisable in relation to another integration function.

### **The Local Government and Planning (Scotland) Act 1982<sup>(37)</sup>**

Section 24(1)  
(The provision of gardening assistance for the disabled and the elderly.)

### **Disabled Persons (Services, Consultation and Representation) Act 1986<sup>(38)</sup>**

<sup>(37)</sup> 1982 c.43; section 24(1) was amended by the Local Government etc. (Scotland) Act 1994 (c.39), schedule 13.

<sup>(38)</sup> 1986 c.33. There are amendments to sections 2 and 7 which are not relevant to the exercise of a local authority's functions under those sections.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 2  
(Rights of authorised representatives of disabled persons.)

Section 3  
(Assessment by local authorities of needs of disabled persons.)

Section 7 (Persons discharged from hospital.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which have been delegated.
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Section 8 (Duty of local authority to take into account abilities of carer.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set out in section 16 of that Act) which are integration functions.
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**The Adults with Incapacity (Scotland) Act 2000<sup>(39)</sup>**

Section 10  
(Functions of local authorities.)

Section 12  
(Investigations.)

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<sup>(39)</sup> 2000 asp 4; section 12 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 5(1). Section 37 was amended by S.S.I. 2005/465. Section 39 was amended by the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and by S.S.I. 2013/137. Section 41 was amended by S.S.I. 2005/465; the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and S.S.I. 2013/137. Section 45 was amended by the Regulation of Care (Scotland) Act 2001 (asp 8), Schedule 3.



<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 37 (Residents whose affairs may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 39 (Matters which may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 41 (Duties and functions of managers of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions.
Section 42 (Authorisation of named manager to withdraw from resident's account.)	Only in relation to residents of establishments which are managed under integration functions.
Section 43 (Statement of resident's affairs.)	Only in relation to residents of establishments which are managed under integration functions.
Section 44 (Resident ceasing to be resident of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions.
Section 45 (Appeal, revocation etc.)	Only in relation to residents of establishments which are managed under integration functions.

### **The Housing (Scotland) Act 2001<sup>(40)</sup>**

Section 92 (Assistance to a registered for housing purposes.)	Only in so far as it relates to an aid or adaptation.
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### **The Community Care and Health (Scotland) Act 2002<sup>(41)</sup>**

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<sup>(40)</sup> 2001 asp 10; section 92 was amended by the Housing (Scotland) Act 2006 (asp 1), schedule 7.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 5

(Local authority arrangements for of residential accommodation out with Scotland.)

Section 14

(Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)

**The Mental Health (Care and Treatment) (Scotland) Act 2003<sup>(42)</sup>**

Section 17

(Duties of Scottish Ministers, local authorities, and others as respects Commission.)

Section 25

(Care and support services etc.)

Except in so far as it is exercisable in relation to the provision of housing support services.

Section 26

(Services designed to promote well-being and social development.)

Except in so far as it is exercisable in relation to the provision of housing support services.

Section 27

(Assistance with travel.)

Except in so far as it is exercisable in relation to the provision of housing support services.

<sup>(41)</sup> 2002 asp 5.

<sup>(42)</sup> 2003 asp 13; section 17 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), section 111(4), and schedules 14 and 17, and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 25 was amended by S.S.I. 2011/211. Section 34 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 33  
(Duty to inquire.)

Section 34  
(Inquiries under section 33: Co-operation.)

Section 228  
(Request for assessment of needs: duty on local authorities and Health Boards.)

Section 259  
(Advocacy.)

### **The Housing (Scotland) Act 2006<sup>(43)</sup>**

Section 71(1)(b) (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
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### **The Adult Support and Protection (Scotland) Act 2007<sup>(44)</sup>**

Section 4  
(Council's duty to make inquiries.)

Section 5  
(Co-operation.)

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<sup>(43)</sup> 2006 asp 1; section 71 was amended by the Housing (Scotland) Act 2010 (asp 17) section 151.

<sup>(44)</sup> 2007 asp 10; section 5 and section 42 were amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17 and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 43 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedule 14.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>
Section 6 (Duty to consider importance of providing advocacy and other.)	
Section 7 (Visits)	
Section 8 (Interviews)	
Section 9 (Medical Examinations)	
Section 10 (Examination of records etc)	
Section 11 (Assessment Orders.)	
Section 14 (Removal orders.)	
Section 16 (Moving adult at risk in pursuance of removal order)	
Section 18 (Protection of moved persons' property.)	
Section 22 (Right to apply for a banning order.)	
Section 40 (Urgent cases.)	
Section 42 (Adult Protection Committees.)	

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 43  
(Membership.)

**Social Care (Self-directed Support) (Scotland) Act 2013<sup>(45)</sup>**

Section 5  
(Choice of options: adults.)

Section 6  
(Choice of options under section 5:  
assistances.)

Section 7  
(Choice of options: adult carers.)

Section 9  
(Provision of information about self-  
directed support.)

Section 11  
(Local authority functions.)

Section 12  
(Eligibility for direct payment: review.)

Section 13 (Further choice of options on material change of circumstances.)	Only in relation to a choice under section 5 or 7 of the Social Care (Self-directed Support) (Scotland) Act 2013.
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Section 16  
(Misuse of direct payment: recovery.)

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<sup>(45)</sup> 2013 asp 1.

<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

Section 19  
(Promotion of options for self-directed support.)

### **Carers (Scotland) Act 2016**

Section 6 <sup>(46)</sup>  
(Duty to prepare adult carer support plan)

Section 21 <sup>(47)</sup>  
(Duty to set local eligibility criteria)

Section 24 <sup>(48)</sup>  
(Duty to provide support)

Section 25 <sup>(49)</sup>  
(Provision of support to carers: breaks from caring)

Section 31 <sup>(50)</sup>  
(Duty to prepare local carer strategy)

Section 34 <sup>(51)</sup>  
(Information and advice service for carers)

Section 35 <sup>(52)</sup>

<sup>(46)</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/... (Scottish SI) reg. 3(2) (December ... 2017)

<sup>(47)</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment Regulations 2017/190 (Scottish SI) reg.2(2) (June 16, 2017)

<sup>48</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/... (Scottish SI) reg. 3(2) (December ... 2017)

<sup>49</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/... (Scottish SI) reg. 3(2) (December ... 2017)

<sup>50</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/... (Scottish SI) reg. 3(2) (December ... 2017)

<sup>51</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/... (Scottish SI) reg. 3(2) (December ... 2017)

<sup>52</sup> Inserted by Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No. 2) Regulations 2017/... (Scottish SI) reg. 3(2) (December ... 2017)

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*Column A*

*Column B*

*Enactment conferring function*

*Limitation*

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(Short breaks services statements)

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*Part 2*

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

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*Column A*

*Column B*

*Enactment conferring function*

*Limitation*

---

**The Community Care and Health (Scotland) Act 2002**

Section 4<sup>(53)</sup>

The functions conferred by  
Regulation 2 of the Community Care  
(Additional Payments) (Scotland)  
Regulations 2002<sup>(54)</sup>

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<sup>(53)</sup> Section 4 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 4 and the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 62(3).

<sup>(54)</sup> S.S.I. 2002/265, as amended by S.S.I. 2005/445.



### *Part 3*

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(5) of the Public Bodies (Joint Working) (Scotland) Act 2014

In addition to the functions that must be delegated, the Council has chosen to delegate the following functions to the extent that they relate to adults.

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<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

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### **Criminal Procedure (Scotland) Act 1995**

Section 51(1)(aa), 51(1)(b) and 51(5)  
(Remand and committal of children and young persons in to care of local authority).

Section 203  
(Local authority reports pre-sentencing.)

Section 234B  
(Report and evidence from local authority officer regarding Drug Treatment and Testing Order.)

Section 245A  
(Report by local authority officer regarding Restriction of Liberty Orders.)

### **Management of Offenders etc. (Scotland) Act 2005**

Section 10  
(Arrangements for assessing and managing risks posed by certain offenders.)

Section 11  
(Review of arrangements.)

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<i>Column A</i>	<i>Column B</i>
<i>Enactment conferring function</i>	<i>Limitation</i>

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**Social Work (Scotland) Act 1968**

Section 27  
(Supervision and care of persons put  
on probation or released from prison.)

Section 27ZA  
(Advice, guidance and assistance to  
persons arrested or on whom sentence  
is deferred.)

## **Part 2**

### **Services currently provided by the Local Authority which are to be integrated**

- Social work services for adults and older people
- Services and support for adults with physical disabilities and learning disabilities
- Mental health services
- Drug and alcohol services
- Adult protection and domestic abuse
- Carers support services
- Community care assessment teams
- Support services
- Care home services
- Adult placement services
- Health improvement services
- Aspects of housing support, including aids and adaptations
- Day services
- Local area co-ordination
- Respite provision
- Occupational therapy services
- Reablement services, equipment and telecare
- Criminal justice services

### Annex 3

#### Hosted Services

NHS Grampian has noted the services that are currently hosted across the areas of the Grampian IJBs and offer this for consideration to the IJB as they take forward strategic planning:

<u>Service</u>	<u>Current Host</u>
Sexual Health Services	Aberdeen City
Woodend Assessment of the Elderly (including Links Unit at City Hospital)	Aberdeen City
Woodend Rehabilitation Services (including Stroke Rehab, Neuro Rehab, Horizons, Craig Court and MARS)	Aberdeen City
Mental Health Services	Aberdeen City
Marie Curie Nursing	Aberdeenshire
Heart Failure Service	Aberdeenshire
Continence Service	Aberdeenshire
Diabetes MCN (including Retinal Screening)	Aberdeenshire
Chronic Oedema Service	Aberdeenshire
HMP Grampian	Aberdeenshire
Police Forensic Examiners	Aberdeenshire

## **Annex 4**

This Annex lists the services provided within hospitals which the IJB will have strategic planning responsibilities for which will continue to be operationally managed by NHS Grampian:

### **Services:**

- Accident & Emergency Services provided in a hospital.
- Inpatient hospital services relating to: general medicine, geriatric medicine, rehabilitation medicine and respiratory medicine; and
- Palliative Care services provided in a hospital.

### **In so far as they are provided within the following hospitals:**

- Hospitals at the Foresterhill Site, Aberdeen (which includes Aberdeen Royal Infirmary, Royal Aberdeen Children's Hospital and Aberdeen Maternity Hospital)
- Hospitals in Elgin (which includes Dr Gray's Hospital)



## Aberdeen City Integration Scheme Changes (Jan 23)

Page	Section	Amendment
4	2	'citizens' changed to 'residents' New values from revised Strategic Plan added
7	Definitions	Removed reference to Shadow Board and to SASPI (Scottish Accord on the Sharing of Information Dec 2011 (on advice of ACC Legal Services)
10	3	3.6g) Addition of reference to a Public Health Consultant as a non-voting member at g.
13	5	5.3 and 5.7 reworded for clarity.
15	6	Deleted references to Shadow Board (Transitional Leadership Group)
17	8	8.3/8,4 clarification of the term 'Performance Framework' used to describe the targets, measures and indicators.
20	9	9.3.5 onwards amended to reflect the role of the Risk Audit and Performance Committee and condensed.
21	9	9.4.2 now includes reference to Whistleblowing policies.
23	9	9.5 amendments to include reference to Strategic Planning Group and joint Locality Planning Arrangements.
23	9	9.6.2 and 9,6.4 now include reference to Directors of Public Health.
25	10	10.1.4 Inclusion of new post of Chief Operating Officer. Acknowledgment that post shall act as Chief Officer of the IJB in the Chief Officer's absence
26	10	10.1.9 Inclusion of 'communities' in the list key stakeholders the Chief Officer will maintain effective working relationships with.
26	10	Inclusion of paragraph 10.2 in relation to the post of Chief Operating Officer
27	11	11.5 Amended reference to the date of the latest Workforce Plan
27	12	12.2.1 Clarification of reference to cash transfers between the Parties
28	12	12.3 Deletion of references to payments to be made in the first financial year
30	12	12.6.5 amended wording indicating mutual agreement around financial administration arrangements
30	12	12.7.2 Amendment of frequency of financial information provided from monthly to quarterly and deletion of reference to further guidance being issued from the Scottish Government in relation to the timetable for the production of annual accounts.
33	12	12.8.4.2 Deletion of reference to first Financial Year
36	13	Deletion of reference at 13.1 to the joint consultation which took place in 2015 and change of tense thereafter from past to future.

<b>Page</b>	<b>Section</b>	<b>Amendment</b>
38	14	14.1 Change of tense from future to past in relation to information sharing.
38	14	14.4 Deletion of references to the Joint Information Sharing Group
38	14	14.5 Deletion of the phrase “by the time functions are delegated to the IJB”.
52	Part 2, Annex 1 B	Addition of reference to Mental Health Services at 7.
57	Part 2, Annex 1 C	Addition of Pharmaceutical services and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978(33) at 29. NB: this was an omission from the original
57	Part 3	Addition of Child and Adolescent Mental Health Services at 4.
72	Annex 3	Deletion of (Royal Cornhill Hospital) after Mental Health Services



## **Notice of Motion by Councillor Crockett**

Council -

Notes the success of the Aberdeen City Region Deal, a 10-year deal signed in 2016 by the former Leader of Aberdeen City Council, noting the key themes within the Aberdeen City Region Deal are innovation, internationalisation and diversification. Its key projects areas are:-

- Innovation - including NZTC (former name OGTC), Agri-Food and Nutrition Hub and Bio-Therapeutic Hub
- Digital Connectivity
- Road infrastructure supporting the Aberdeen South Harbour Expansion
- Strategic Transport Appraisal of priority regional projects

Agrees that Aberdeen has been let down by the Scottish and UK Governments who have made decisions detrimental to the North East economy despite Aberdeen having the skills, expertise and infrastructure which could accelerate the energy transition.

Agrees that it is now essential that the Council approaches the UK Government to start negotiating on a new Aberdeen City Region Deal or an extension of the Aberdeen City Region Deal which is due to expire in 2026 in order for the city to remain competitive as it moves towards Green and renewable energy.

Therefore, agrees to the setting up of a cross party working group comprising the 4 group leaders to discuss and agree a Council strategy in order for the council to start the process to either extend or renew the Aberdeen City Region Deal with the UK Government.

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## **Notice of Motion by Cllr Crockett**

Council:-

Notes the unanimous decision by the Council to support the Local Development Plan at the Council meeting in December 2022.

Notes the proposals by the SNP to effectively abandon the Local Development Plan following their announcement to not proceed with Greenferns Landwards development despite voting for that development to proceed less than 8 weeks ago.

Notes this proposal could have a serious impact on development in and around this area as the Local Development Plan indicates that any proposals for development of an adjacent or nearby site will generally be resisted if this would jeopardise the delivery of this site

Agrees that the hypocrisy of the SNP knows no bounds whereby in the space of 8 short weeks they have in effect abandoned their own Local Development Plan 2023.

Instructs the Chief Officer - Capital, Chief Officer - Corporate Landlord and Chief Officer - Strategic Place Planning to provide members with the following:- (a) a detailed financial cost of the work to date by officers on taking forward Greenferns Landward, including all costs associated with work done to get the project to this stage since the Council first decided to build 2,000 new houses; (b) what impact, if any, this proposal by the SNP if supported by Council would have in terms of any statutory review by those unsuccessful in their bid for allocation in the Local Development Plan; and (c) how many affordable homes will no longer be built if the Council agrees to the SNP proposals to no longer move forward with this site.

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## Notice of Motion by Councillor Houghton

1. That the Council notes the release of the *Draft Energy Strategy and Just Transition Plan* by the Scottish Government on 10 January 2023.
2. Notes the statements on page 9 that “*We want to see the fastest possible just transition for the oil and gas sector*” and on pages, 14, 55, 97 that “*there should be a presumption against new exploration for oil and gas*”.
3. Recognises the reaction to the Plan from Aberdeen and Grampian Chamber of Commerce who stated the presumption “*has been met with complete disbelief in the North-East of Scotland*” and that it is “*a breath-taking betrayal of one of Scotland’s biggest industries*” by the Scottish Government.
4. Believes that the thousands of workers in the oil and gas industry deserve the Council’s full support.
5. Agrees to instruct the Chief Executive to:
  - 5.1 write to the (a) Cabinet Secretary for Net Zero, Energy and Transport; and (b) Minister for Just Transition, Employment and Fair Work re-affirming Council’s view that there should be ongoing financial and training support for the oil and gas industry as part of a managed transition.
  - 5.2 invite the Cabinet Secretary for a meeting with Council Co-Leaders and Group Leaders in 2023 to discuss the *Draft Energy Strategy and Just Transition Plan* fully.
  - 5.3 formally respond to the *Draft Energy Strategy and Just Transition Plan* consultation by 4 April 2023, re-affirming the Council’s commitment to the oil and gas sector as part of the managed transition and noting the concerns of Council about the “*breath-taking betrayal of one of Scotland’s biggest industries*”.
  - 5.4 write to the Minister for Just Transition, Employment and Fair Work to ask the Scottish Government to collect and monitor renewable energy sector job creation data at a local authority level to ensure that a Just Transition is taking place in Aberdeen. With the North East region making up 30,000 (46%) of direct Scottish energy sector jobs, Aberdeen is more exposed to job losses from this energy transition, it is only morally right that there is an additional focus on renewable job creation for our region.

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## **Notice of Motion by Councillor Kuszniir**

That the Council:

- (a) Notes the requirements of the Local Government Transparency Code on local authorities in England; and
- (b) Instructs the Chief Executive to prepare a feasibility report on the establishment of a parallel Code for Aberdeen, where analogous data publishing is not already in place, for consideration by Council.

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## Notice of Motion by Councillor Radley

That Council:-

1. Note the decision of the Finance and Resources Committee on 1<sup>st</sup> February 2023 'to instruct Chief Officer - Capital to report to next appropriate Finance and Resources Committee his findings following a review of next steps options for the delivery of the new housing sites at Craighill and Kincorth';
2. Note the instruction of the Communities, Housing and Public Protection Committee on 17<sup>th</sup> January 2023 'to instruct the Chief Officer - Corporate Landlord to consolidate and refresh all asset management strategies for the HRA estate and report back to this Committee on this matter by late 2024';
3. Note the ongoing volatility in the construction industry in relation to development demand and price certainty;
4. Approve that the Greenferns Landward site remains in the property of the Common Good;
5. Note that external contracts are in place to deliver planning permission in principle for the Greenferns Landward site. This design development is well advanced and expected to be complete in the coming months; and
6. Following the conclusion of the current planning process, instruct the Chief Officer - Corporate Landlord to cease detailed design work on Council housing at the Greenferns Landward site, in the context that the site cannot be developed in its entirety until the second phase of the local development plan post 2032, and to concentrate resources on completion of the current sites and improving the Council's existing housing stock, and report back to a relevant committee once noted works have been carried out.

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## **Notice of Motion by Councillor Yuill: Climate and Nature Emergency**

### **This Council notes:**

1. That the global climate and nature crises are evidenced and recognised to be crucial challenges for our time, requiring rapid response.
2. That the climate and nature crises are inextricably linked and must be tackled together, without one negatively affecting the other.
3. The progress the Council is making through its own actions, influencing others and collaborative working to drive action and ambition around net zero targets, carbon reduction, climate resilience and nature recovery. Examples of this include reducing its own emissions; contributing to a reduction in area-wide emissions; adapting to climate change; and protecting and enhancing the natural environment.
4. That there is an urgent need for continued work at even greater pace and scale with relevant agencies, partners and the community to fulfil commitments for the city.

### **This Council agrees to:**

1. Join local authorities across the world which have responded to the twin crises of climate change and nature loss and declare a “Climate and Nature Emergency”; acknowledging the urgency of the crises, their cascading impacts and commit to address these emergencies.
2. Commit to tackling the climate and nature emergencies together; recognising the many and various societal, economic and environmental co-benefits that can be achieved from taking action on climate change and nature recovery; including for skills, products, services, placemaking, health and wellbeing.
3. Reaffirm its commitment to take effective action through the current and successive Council Climate Change Plans to limit the impact from Council assets and operations and meet the Council’s net zero targets, climate resilience and nature recovery priorities.
4. Commit to continuing proactive work with other public, private, third and community sector partners towards Aberdeen becoming a net zero city by 2037 and to build climate resilience and nature recovery, delivering the Net Zero Aberdeen Routemap, enabling strategies; and Aberdeen Adapts, Climate Adaptation Framework.
5. Plan, develop and manage a Just Transition response to the climate and nature emergencies to ensure fair and positive societal change, tackling inequality and injustice.
6. Consider and address the impact, challenges and opportunities of climate and nature in all Council decisions, policies, strategies, plans and projects.

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